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TITLE 7—AGRICULTURE

Chapter VII—Commodity Stabilization Service (Farm Marketing Quotas and Acreage Allotments), Department of Agriculture

[1023 (Burley and Flue-cured Tobacco-55)-1, Amdt. 1]

PART 725—BURLEY AND FLUE-CURED TOBACCO

MARKETING QUOTA REGULATIONS, 1955-56 MARKETING YEAR

The amendments herein are based on the marketing quota provisions of the Agricultural Adjustment Act of 1938, as amended, applicable to tobacco (7 U. S. C. 1311-1315), and are made for the purpose of amending paragraph (a) of § 725.623 relating to determination of 1955 acreage allotments for new farms and for the purpose of amending § 725.627 relating to State Committee approval of any allotments, yields, and determinations made under §§ 725.611 to 725.626, of the Burley and flue-cured tobacco marketing quota regulations, 1955-56 marketing year. Prior to the adoption of these amendments, notice was given (19 F. R. 6304) that the Secretary was considering amending the regulations in the manner herein provided and that any interested person might express his views in writing in respect thereto. The data, views, and recommendations received pursuant to the notice have been duly considered within the limits permitted by the Agricultural Adjustment Act of 1938, as amended.

The Burley and Flue-Cured Tobacco Marketing Quota Regulations, 1955-56 Marketing Year, are amended as follows:

1. Delete paragraph (a) of § 725.623 and insert in lieu thereof the following:

§ 725.623 *Determination of acreage allotments for new farms.* (a) The acreage allotment, other than an allotment made under § 725.620, for a new farm shall be that acreage which the county committee (with the approval of the State committee) determines is fair and reasonable for the farm taking into consideration the past tobacco experience of the farm operator; the land, labor, and equipment available for the production

of tobacco; crop rotation practices; and the soil and other physical factors affecting the production of tobacco: *Provided*, That the acreage allotment so determined shall not exceed 50 percent of the allotments for old tobacco farms which are similar with respect to land, labor, and equipment available for the production of tobacco, crop rotation practices, and the soil and other physical factors affecting the production of tobacco.

2. Delete § 725.627 and insert in lieu thereof the following:

§ 725.627 *Approval of determinations made under §§ 725.611 to 725.626.* All allotments and yields shall be reviewed by or on behalf of the State committee, and the State committee may revise or require revision of any determinations made under §§ 725.611 to 725.626. All acreage allotments and yields shall be approved by or on behalf of the State committee and no official notice of acreage allotment shall be mailed to a grower until such allotment has been approved by or on behalf of the State committee.

(Sec. 375, 52 Stat. 66, as amended; 7 U. S. C. 1375. Interpret or apply sec. 313, 52 Stat. 47, as amended; 7 U. S. C. 1313)

Done at Washington, D. C., this 29th day of October 1954. Witness my hand and the seal of the Department of Agriculture.

[SEAL] TRUE D. MORSE,
Acting Secretary of Agriculture.

[F. R. Doc. 54-8661; Filed, Nov. 3, 1954; 8:45 a. m.]

TITLE 16—COMMERCIAL PRACTICES

Chapter I—Federal Trade Commission

[Docket 5986]

PART 3—DIGEST OF CEASE AND DESIST ORDERS

BELL DIRECTORY PUBLISHERS, INC., ET AL.

Subpart—*Misrepresenting oneself and goods*—Business status, advantages or connections; § 3.1397 *Customer connection*; § 3.1440 *Identity*. Subpart—*Offer*

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ing unfair, improper and deceptive inducements to purchase or deal: § 3.1928 Customer connection or action; § 3.2030 Terms and conditions. Subpart—Securing orders falsely, misleadingly, or improperly: § 3.2170 Securing orders falsely, misleadingly, or improperly. Subpart—Simulating competitor or another or product thereof: § 3.2205 Advertising matter. In connection with the offering for sale, sale, or distribution, in commerce, of advertising in respondents' publications, using in solicitation of such advertising, by mail or through agents by personal solicitation, advertisements which have been physically clipped or removed by or for respondents from any publication issued by others than respondents; prohibited.

(Sec. 6, 38 Stat. 722; 15 U. S. C. 46. Interpret or apply sec. 5, 38 Stat. 719, as amended; 15 U. S. C. 45) [Cease and desist order, Bell Directory Publishers, Inc., et al., New York, N. Y., Docket 5986, July 27, 1954]

In the Matter of Bell Directory Publishers, Inc., a Corporation, and Benjamin L. Hill, Michael M. Bell, and Sydney Kopp, Individually and as Officers of Said Corporation

This proceeding was heard by William L. Pack, hearing examiner, upon the complaint of the Commission which charged respondents with the use of certain unfair and deceptive practices in connection with the sale of advertising space in their business directories, respondents' answer, and hearings at which evidence, duly recorded and filed in the office of the Commission, both in support of and in opposition to the charges in the complaint, was received, and on proposed findings and conclusions submitted by counsel supporting the complaint (counsel for respondents having elected not to submit such proposals) and on oral argument.

Thereafter the proceeding came on for final consideration on the merits by said examiner who made his initial decision comprising certain findings as to the facts;¹ his conclusions¹ that the proceeding was in the public interest; that respondents' practice, as prohibited in his order to cease and desist, was to the prejudice of the public and respondents' competitors and constituted an unfair and deceptive act and practice and an

unfair method of competition in commerce within the intent and meaning of the Federal Trade Commission Act; that other charges in the complaint had not been sustained; and that the complaint should be dismissed as to respondent Kopp in his individual capacity, but not in his capacity as an officer of the corporate respondent; and his said order to cease and desist.

No appeal having been filed from said initial decision of said hearing examiner, as provided for in Rule XXII of the Commission's rules of practice, nor any other action taken as thereby provided to prevent said initial decision becoming the decision of the Commission thirty days from service thereof upon the parties, said initial decision, including said order, accordingly, under the provisions of said Rule XXII became the decision of the Commission on July 27, 1954.

Said order is as follows:

It is ordered, That respondent Bell Directory Publishers, Inc., a corporation, and its officers, and respondents Benjamin L. Hill and Michael M. Bell, individually and as officers of said corporation, and respondent Sydney Kopp, as an officer of said corporation, and respondents' agents, representatives and employees, directly or through any corporate or other device, in connection with the offering for sale, sale, or distribution in commerce, as "commerce" is defined in the Federal Trade Commission Act, of advertising in respondents' publications, do forthwith cease and desist from using in the solicitation of such advertising, by mail or through agents by personal solicitation, advertisements which have been physically clipped or removed by or for respondents from any publication issued by others than respondents.

It is further ordered, That the complaint be, and it hereby is, dismissed as to respondent Sydney Kopp in his individual capacity.

By "Decision of the Commission and Order to File Report of Compliance", Docket 5986, July 27, 1954, which announced and decreed fruition of said initial decision, report of compliance was required as follows:

It is ordered, That the respondents herein shall within sixty (60) days after service upon them of this order, file with the Commission a report in writing setting forth in detail the manner and form in which they have complied with the order to cease and desist.

Issued: July 27, 1954.

By the Commission.

[SEAL] ROBERT M. PARRISH,
Secretary.

[F. R. Doc. 54-8684; Filed, Nov. 3, 1954;
8:50 a. m.]

[Docket 6033]

PART 3—DIGEST OF CEASE AND DESIST ORDERS

HILLMAN PERIODICALS, INC.

Subpart—Neglecting, unfairly or deceptively, to make material disclosure;

§ 3.1880 Old, used, reclaimed, or reused as unused or new. In connection with the offering for sale, sale, or distribution in commerce of respondent's magazine "Confessions" or any other publication or periodical consisting entirely or substantially of reprints of previously published stories, articles, or other materials, offering for sale, selling, or distributing such magazine or other publication, unless the fact that the stories, articles, or other materials contained therein are reprints is clearly disclosed on the front cover and on the masthead page thereof and at the beginning of each reprinted story, article, or other material; prohibited.

(Sec. 6, 38 Stat. 722; 15 U. S. C. 46. Interpret or apply sec. 5, 38 Stat. 719, as amended; 15 U. S. C. 45) [Cease and desist order, Hillman Periodicals, Inc., New York, N. Y., Docket 6033, July 22, 1954]

This proceeding was heard by J. Earl Cox, hearing examiner, upon the complaint of the Commission charging respondent with the use of unfair and deceptive acts and practices in commerce in violation of the provisions of the Federal Trade Commission Act, respondent's answer, and a hearing at which testimony and other evidence, duly recorded and filed in the office of the Commission, in support of and in opposition to the allegations of the complaint, were introduced before said examiner, theretofore duly designated by the Commission.

Thereafter, following the filing by said examiner of his initial decision, respondent's appeal therefrom, and the entry of an order by the Commission, after due consideration, vacating and setting aside said initial decision and remanding the case to said examiner, to take additional evidence on the issues raised by the pleadings, a further hearing was held at which additional testimony and evidence, duly recorded and filed in the office of the Commission, were received in support of and in opposition to the allegations of the complaint, following which the proceeding regularly came on for final consideration by said examiner on the complaint, the answer thereto, the testimony and other evidence, and proposed findings as to the facts and conclusions presented by counsel, and said examiner, having duly considered the entire record in the matter, and having found that the proceeding was in the interest of the public, made his initial decision comprising certain findings as to the facts,¹ conclusions drawn therefrom,¹ and order.

Thereafter, following respondent's appeal from said initial decision, the matter was disposed of by "Order Denying Respondent's Appeal, Decision of the Commission and Order to File Compliance", Docket 6033, July 22, 1954, as follows:

This matter having come on to be heard by the Commission upon respondent's appeal from the initial decision of the hearing examiner and briefs of counsel in support of and in opposition thereto, oral argument not having been requested; and

¹Filed as part of the original document.

¹Filed as part of the original document.

The Commission having duly considered said appeal and the record herein and being of the opinion, for the reasons appearing in the accompanying opinion of the Commission, that the appeal should be denied and that the said initial decision is appropriate in all respects to dispose of this proceeding:

It is ordered, That respondent's appeal from the initial decision of the hearing examiner be, and it hereby is, denied.

It is further ordered, That the attached initial decision of the hearing examiner shall, on the 22d day of July 1954, become the decision of the Commission.

It is further ordered, That the respondent shall, within sixty (60) days after service upon it of this order, file with the Commission a report in writing setting forth in detail the manner and form in which it has complied with the order to cease and desist.

The order in said initial decision, thus made the decision of the Commission, is as follows:

It is ordered, That respondent, Hillman Periodicals, Inc., a corporation, its officers, representatives, agents and employees, directly or through any corporate or other device, in connection with the offering for sale, sale or distribution in commerce, as "commerce" is defined in the Federal Trade Commission Act, of its magazine "Confessions" or any other publication or periodical consisting entirely or substantially of reprints of previously published stories, articles or other materials do forthwith cease and desist from offering for sale, selling or distributing such magazine or other publication, unless the fact that the stories, articles or other materials contained therein are reprints is clearly disclosed on the front cover and on the masthead page thereof and at the beginning of each reprinted story, article, or other material.

Issued: July 22, 1954.

By the Commission,

[SEAL] ROBERT M. PARRISH,
Secretary.

[P. R. Doc. 54-8685; Filed: Nov. 3, 1954;
8:51 a. m.]

[Docket 6170]

PART 3—DIGEST OF CEASE AND DESIST
ORDERS

HARRY A. BURCH ET AL.

Subpart—*Advertising falsely or misleadingly:* § 3.15 *Business status, advantages, or connections:* Individual or private business as educational, religious or research institution; organization and operation; personnel or staff; § 3.55 *Demand, business, or other opportunities:* § 3.110 *Indorsements, approval and testimonials:* § 3.115 *Jobs and employment service:* § 3.205 *Scientific or other relevant facts:* § 3.250 *Success, use or standing:* § 3.260 *Terms and conditions.* Subpart—*Claiming or using indorsements or testimonials falsely or misleadingly:* § 3.330 *Claiming or using indorsements or testimonials falsely or*

misleadingly. Subpart—*Misrepresenting oneself and goods:* Business status, advantages or connections: § 3.1450 *Individual or private business as educational, religious or research institution:* § 3.1515 *Operations generally:* § 3.1520 *Personnel or staff:* [Misrepresenting oneself and goods]—Goods: § 3.1665 *Indorsements:* § 3.1670 *Jobs and employment:* § 3.1697 *Opportunities in product or service:* § 3.1740 *Scientific or other relevant facts:* § 3.1755 *Success, use or standing:* § 3.1760 *Terms and conditions.* Subpart—*Offering unfair, improper and deceptive inducements to purchase or deal:* § 3.1995 *Job guarantee and employment:* § 3.2015 *Opportunities in product or service:* § 3.2063 *Scientific or other relevant facts:* § 3.2080 *Terms and conditions.* Subpart—*Using misleading name—Vendor:* § 3.2410 *Individual or private business being educational, religious or research institution or organization.* In connection with the offering for sale, sale, and distribution of any course of instruction, in commerce, on the part of respondent Harry A. Burch, trading as Washington Institute of Practical Nursing, etc., and his representatives, etc.: (A) Representing, directly or by implication: (1) That the opportunities for employment in the field of endeavor in which a course of instruction is offered are greater than they are in fact; (2) that a correspondence school course is capable of (a) qualifying persons for positions as nurses or licensed practical nurses in hospitals, sanitariums or other medical institutions or in a doctor's office, (b) qualifying persons for State examinations for registered or licensed practical nurse; (3) that respondent's business is other than the operation of a correspondence school; (4) that respondent has a staff of instructors in the subject covered by the course unless such is the fact; (5) that a high school education is not necessary to become a licensed practical nurse; (6) that a high school education is not necessary to become a graduate practical nurse unless limited to persons completing respondent's course of instruction; (7) that any course of instruction or diploma issued to persons completing any such course is approved, accredited, or recognized by any organization, institution, group, or person unless it is a fact; (8) that a contract of enrollment may be cancelled without obligation for any unpaid balance due on the purchase price of any such course, unless it is a fact; and (B) using the word "Institute" in his trade name or otherwise representing that his business is other than a commercial enterprise operated for profit; prohibited.

(Sec. 6, 38 Stat. 722; 15 U. S. C. 46. Interpret or apply sec. 5, 38 Stat. 719, as amended; 15 U. S. C. 45) [Cease and desist order, Harry A. Burch t. a. Washington Institute of Practical Nursing, etc., Seattle, Wash., Docket 6170, September 23, 1954]

In the Matter of Harry A. Burch, an Individual, Trading Under the Names of Washington Institute of Practical Nursing and National Training Service

This proceeding was heard by Abner E. Lipscomb, hearing examiner, upon the complaint of the Commission which charged respondent with unfair and de-

ceptive acts and practices in the offering for sale, sale, and distribution of correspondence courses in practical nursing, in violation of the provisions of the Federal Trade Commission Act, and upon a stipulation for consent order entered into and submitted to said examiner, following the submission of respondent's answer, by respondent and counsel supporting the complaint.

By the terms of said stipulation respondent admitted all the jurisdictional allegations set forth in the complaint and stipulated that the record in the instant matter might be taken as if the Commission had made findings of jurisdictional facts in accordance with such allegations; requested that his answer, theretofore submitted, should be withdrawn; expressly waived the filing of an answer to the complaint and further proceedings before the examiner and the Commission; agreed that the order contained in said stipulation should have the same force and effect as if made after a full hearing, presentation of evidence, and findings and conclusions thereon; and expressly waived all right, power, and privilege to contest the validity of said order.

Said stipulation provided that the complaint might be used in construing the terms of the order contained in the stipulation; and that said order might be altered, modified, or set aside in the manner prescribed by statute for orders of the Commission; and respondent agreed that said stipulation for consent order, together with the complaint in the matter, should constitute the entire record in the matter, and that the order contained in said stipulation might be entered without further notice upon the record, in disposition of the proceeding.

Thereafter, said examiner, having concluded, in view of the provisions of said stipulation for consent order, and the fact that the order embodied in said stipulation did not differ materially from the order accompanying the complaint, that respondent's request that its answer to the complaint be withdrawn, should be granted; that said stipulation for consent order should be accepted; and that such action, together with the issuance of the order contained in the stipulation, would resolve all the issues arising by reason of the complaint in the proceeding and respondent's answer thereto, and would safeguard the public interest to the same extent that could be accomplished by a full hearing and all other adjudicative procedure waived in said stipulation; made his initial decision¹ setting forth the aforesaid matters and accepting, in consonance with the terms of said agreement, the stipulation for consent order submitted, and granting respondent's request that its answer to the complaint be withdrawn, and issuing his order.

No appeal having been filed from said initial decision of said hearing examiner, as provided for in Rule XXII of the Commission's rules of practice, nor any other action taken as thereby provided to prevent said initial decision becoming the decision of the Commission thirty

¹ Filed as part of the original document.

days from service thereof upon the parties, said initial decision, including said order to cease and desist, accordingly, under the provisions of said Rule XXII became the decision of the Commission on September 23, 1954.

Said order is as follows:

It is ordered, That respondent, Harry Burch, trading under the name Washington Institute of Practical Nursing or National Training Service, or trading under any other name, and his representatives, agents and employees, directly or through any corporate or other device, in connection with offering for sale, sale and distribution of any course of instruction, in commerce, as "commerce" is defined in the Federal Trade Commission Act, do forthwith cease and desist from:

A. Representing, directly or by implication:

1. That the opportunities for employment in the field of endeavor in which a course of instruction is offered are greater than they are in fact;

2. That a correspondence school course is capable of (a) qualifying persons for positions as nurses or licensed practical nurses in hospitals, sanitariums or other medical institutions or in a doctor's office, (b) qualifying persons for State examinations for registered or licensed practical nurse;

3. That respondent's business is other than the operation of a correspondence school;

4. That respondent has a staff of instructors in the subject covered by the course unless such is the fact;

5. That a high-school education is not necessary to become a licensed practical nurse;

6. That a high-school education is not necessary to become a graduate practical nurse unless limited to persons completing respondent's course of instruction;

7. That any course of instruction or diploma issued to persons completing any such course is approved, accredited or recognized by any organization, institution, group or person unless it is a fact;

8. That a contract of enrollment may be cancelled without obligation for any unpaid balance due on the purchase price of any such course, unless it is a fact.

B. Using the word "Institute" in his trade name or otherwise representing that his business is other than a commercial enterprise operated for profit.

It is further ordered, That the answer to the complaint herein filed by respondent on March 15, 1954, be, and the same hereby is, withdrawn from the record.

By "Decision of the Commission and Order to File Report of Compliance", Docket 6170, September 23, 1954, which announced and decreed fruition of said initial decision, report of compliance was required as follows:

It is ordered, That respondent Harry A. Burch, an individual, trading under the names of Washington Institute of Practical Nursing and National Training Service, shall, within sixty (60) days after service upon him of this order, file with the Commission a report in writing setting forth in detail the manner and

form in which he has complied with the order to cease and desist.

Issued: September 23, 1954.

By the Commission.

[SEAL] ROBERT M. PARRISH,
Secretary.

[F. R. Doc. 54-8686; Filed, Nov. 3, 1954;
8:51 a. m.]

TITLE 6—AGRICULTURAL CREDIT

Chapter IV—Commodity Stabilization Service and Commodity Credit Corporation, Department of Agriculture

Subchapter B—Loans, Purchases, and Other Operations

[1954 C. C. C. Grain Price Support Bulletin 1, Supp. 2, Corn]

PART 421—GRAINS AND RELATED COMMODITIES

SUBPART—1954-CROP CORN LOAN AND PURCHASE AGREEMENT PROGRAM

Correction

In Federal Register Document 54-8479, published at page 6902 of the issue for Thursday, October 28, 1954, the following changes should be made in the support rate table in § 421.494 (a) (2):

1. The rate for Moultrie County, Illinois, now reading "1.63", should read "1.63".

2. The rate for Cleveland County, Oklahoma, now reading "1.24", should read "1.25".

TITLE 32—NATIONAL DEFENSE

Chapter VII—Department of the Air Force

Subchapter G—Personnel

PART 878—DECORATIONS AND AWARDS

CERTIFICATES, LETTERS AND GOLD STAR LAPEL BUTTONS

The following sections replace §§ 878.86 to 878.91 (32 CFR and 1953 Supp.):

Sec.	Purpose.
878.86	Department of Defense Certificates of Appreciation.
878.87	Accolades.
878.88	Certificates of honorable service.
878.89	Letters of commendation and appreciation.
878.91	Gold Star Lapel Buttons.

AUTHORITY: §§ 878.86 to 878.91 issued under R. S. 161, sec. 202, 61 Stat. 500, as amended; 5 U. S. C. 22, 171a. Statutory provisions interpreted or applied are cited to text in parenthesis.

DERIVATION: AFR 30-9.

§ 878.86 Purpose. Sections 878.86 to 878.91 prescribe certain types of certificates, letters, and lapel buttons, which are presented to military and civilian personnel (or their kin) for honorable and/or commendable service or performance of duty not meeting the requirements for decorations.

§ 878.87 Department of Defense Certificates of Appreciation. The Secretary of Defense may award a Certificate of

Appreciation with a lapel button to recognize exceptional civilian service rendered to the Department of Defense after September 18, 1947. It is awarded only to individuals and not to groups or organizations. Recommendations for such certificates may be submitted by any agency of the Air Force through channels to the Director of Military Personnel, Headquarters USAF. Supporting evidence in duplicate will accompany these recommendations. The service must have been in a civilian capacity, rendered to the Department of Defense as a whole, to the office of the Secretary of Defense, or to boards and committees appointed by the Secretary of Defense.

§ 878.88 Accolades. An Accolade (scroll) signed by the President of the United States, is presented to the next of kin of members of the Armed Forces who die in line of duty during military operations, and to the next of kin of civilians who die overseas or as a result of injury or disease contracted while serving in a civilian capacity with the Armed Forces during period of military operations. For Air Force personnel, Accolades are prepared and forwarded to the next of kin by Headquarters USAF.

§ 878.89 Certificates of honorable service. Testimonials of honest and faithful service in the form of certificates are awarded by Headquarters USAF to the next of kin on record of those who die in line of duty while honorably serving in the Air Force.

§ 878.90 Letters of commendation and appreciation. (a) Letters expressing commendation will be awarded only for unusual achievements or commendable service which do not meet the requirements for a decoration.

(b) Letters expressing appreciation, congratulations, or thanks will be forwarded direct to the person concerned by commanders at all levels. These letters will not be made part of official records.

§ 878.91 Gold Star Lapel Buttons. (a) The Gold Star Lapel Button, with pin or clutch, is a gold star, one-quarter inch in diameter, mounted on a purple disc, three-quarters inch in diameter, surrounded by a wreath of gold laurel leaves, five-eighths inch in diameter. The reverse bears the inscription "United States of America, Act of Congress, August 1947", and provides space for engraving the initials of the recipient.

(b) The Gold Star Lapel Button is awarded to widows, widowers, parents, and certain next of kin of members of the Armed Forces of the United States who lost their lives in the armed services of the United States during World War I (April 6, 1917, to March 3, 1921), World War II (September 8, 1939, to July 25, 1947, at 12 o'clock noon), Korean Operation (June 27, 1950, to July 27, 1954), or during any subsequent war or period of armed hostilities in which the United States may be engaged. One Gold Star Lapel Button is furnished without cost, to the widow or widower (remarried or not), and to each of the parents (in-

cludes mother, father, stepmother, stepfather, mother through adoption, father through adoption, and foster parents who stood in loco parentis). One Gold Star Lapel Button is furnished, at cost to each child, brother, sister, half-brother, half-sister, step-child, and children through adoption. Replacements for Gold Star Lapel Buttons that have been lost, destroyed, or rendered unfit for use, without fault or neglect on the part of the persons to whom they were furnished, may be obtained at cost.

(c) Gold Star Lapel Buttons may be obtained by writing direct to the Chief, Air Force Liaison Office, Military Personnel Records Center, 4300 Goodfellow Boulevard, St. Louis 20, Mo.

(d) Section 4 of the act of August 1, 1947, as amended (sec. 4, 61 Stat. 710, as amended; 36 U. S. C. 182d) provides that: "Whoever shall (1) wear, display on his person, or otherwise use as an insignia, any Gold Star Lapel Button issued to another person under the provisions of this act; (2) falsely make, forge, or counterfeit, or cause or procure to be falsely made, forged, or counterfeited, or aid in falsely making, forging or counterfeiting any lapel button authorized by this act; or (3) sell or bring into the United States, or any place subject to the jurisdiction thereof, from any foreign place, or have in his possession any such false, forged, or counterfeited lapel button, shall be fined not more than \$1,000 or imprisoned not more than two years, or both."

(Secs. 2, 3, 61 Stat. 710, as amended; 36 U. S. C. 182b, 182c)

[SEAL]

E. E. TORO,
Colonel, U. S. Air Force,
Air Adjutant General.

[F. R. Doc. 54-8662; Filed, Nov. 3, 1954;
8:45 a. m.]

TITLE 14—CIVIL AVIATION

Chapter I—Civil Aeronautics Board

[Reg. SR-406]

PART 60—AIR TRAFFIC RULES

SPECIAL CIVIL AIR REGULATION; DELEGATION OF AUTHORITY TO THE ADMINISTRATOR TO ESTABLISH RULES APPLICABLE TO A HIGH DENSITY AIR TRAFFIC ZONE IN THE WASHINGTON, D. C., AREA

Correction

In Federal Register Document 54-8445, appearing at page 6871 of the issue for Wednesday, October 27, 1954, the part heading for Part 60 should have read as set forth above.

Chapter II—Civil Aeronautics Administration, Department of Commerce

[Amdt. 95]

PART 608—DANGER AREAS

ALTERATIONS

The danger area alterations appearing hereinafter have been coordinated with the civil operators involved, the Army, the Navy, and the Air Force,

through the Air Coordinating Committee, Airspace Subcommittee, and are adopted to become effective when indicated in order to promote safety of the flying public. Since a military function of the United States is involved, compliance with the notice, procedure, and effective date provisions of section 4, of the Administrative Procedure Act is not required.

Part 608 is amended as follows:

1. In § 608.29, the South Wellfleet, Massachusetts, area (D-22), published

Name and location (chart)	Description by geographical coordinates	Designated altitudes	Time of designation	Using agency
AGAT BAY, GUAM (D-474), (Guam WAC 731).	Beginning at latitude 13°26' N., longitude 144°28' E.; thence along a line approximately 0.5 nautical mile offshore Guam at latitude 13°15' N., longitude 144°45' E., to latitude 13°10' N., longitude 144°45' E., to latitude 13°10' N., longitude 144°30' E., to latitude 13°26' N., longitude 144°30' E., to latitude 13°26' N., longitude 144°38' E., point of beginning.	Surface to 1,000 feet.	Continuous VFR only.	NAS Agana, Guam.

b. In § 608.64, the Farallon De Medinilla, Guam, area (D-476), is established:

Name and location (chart)	Description by geographical coordinates	Designated altitudes	Time of designation	Using agency
FARALLON DE MEDINILLA, GUAM (Guam WAC 731) (Pagan Island—WAC-624).	Beginning at latitude 16°08' N., longitude 146°10' E.; thence to 15°55' N., longitude 146°10' E.; thence to latitude 15°55' N., longitude 146°00' E.; thence to latitude 16°08' N., longitude 146°00' E.; thence to point of beginning.	Surface to unlimited.	Continuous.....	NAS Agana, Guam, to be used by USAF.

c. In § 608.64, the Nafatan Rock, Guam, area (D-478) is established:

Name and location (chart)	Description by geographical coordinates	Designated altitudes	Time of designation	Using agency
NAFATAN ROCK, GUAM (D-478) (Guam WAC 731).	Within a radius of 5 nautical miles of latitude 14°30'00" N., longitude 145°32'00" E.	Surface to 3,000 feet mean sea level.	Continuous.....	NAS Agana, Guam.

(Sec. 205, 52 Stat. 984, as amended; 49 U. S. C. 425. Interprets or applies sec. 601, 52 Stat. 1007, as amended; 49 U. S. C. 551)

This amendment shall become effective on November 8, 1954.

[SEAL]

F. B. LEE,
Administrator of Civil Aeronautics.

[F. R. Doc. 54-8663; Filed, Nov. 3, 1954; 8:45 a. m.]

TITLE 43—PUBLIC LANDS: INTERIOR

Chapter I—Bureau of Land Management, Department of the Interior

Appendix C—Public Land Orders

[Public Land Order 1025]

ALASKA

PARTIALLY REVOKING EXECUTIVE ORDER OF JANUARY 4, 1901, RESERVING PUBLIC LANDS FOR LIGHTHOUSE PURPOSES

By virtue of the authority vested in the President and pursuant to Executive Order No. 10355 of May 26, 1952, it is ordered as follows:

The Executive Order of January 4, 1901, which withdrew the public lands within certain described areas in Alaska

for lighthouse purposes, is hereby revoked so far as it affects the following-described public lands:

POINT SHERMAN

Beginning at a point at low water mark, said point being one-half mile southwest from Seward City wharf; thence, due east one-half mile; thence, due south to low water mark; thence, following the winding of low water mark to the place of beginning.

The area described is identified as U. S. Survey No. 1598 containing 148.83 acres.

The land is part of the Tongass National Forest having been added to such forest, together with other lands by Proclamation No. 846 of February 16, 1909, and shall not be subject to disposition of any kind prior to 10:00 a. m., on the 35th day after the date of this order. At that time it shall become sub-

ject to such disposition as may by law be made of national-forest lands.

ORME LEWIS,
Assistant Secretary of the Interior.

OCTOBER 28, 1954.

[P. R. Doc. 54-8665; Filed, Nov. 3, 1954;
8:46 a. m.]

[Public Land Order 1026]

NEW MEXICO

PARTIALLY REVOKING PUBLIC LAND ORDER
NO. 656 OF AUGUST 15, 1950

By virtue of the authority vested in the President by the act of June 4, 1897 (30 Stat. 11, 36; 16 U. S. C. 473) and otherwise, and pursuant to Executive Order No. 10355 of May 26, 1952, it is ordered as follows:

Public Land Order No. 656 of August 15, 1950, withdrawing the public lands within certain described areas in the Lincoln National Forest for use of the Department of the Air Force in connection with a solar observatory, is hereby revoked so far as it affects the following-described lands:

NEW MEXICO PRINCIPAL MERIDIAN

T. 18 S., R. 11 E., sec. 16.

The area described contains 640 acres.

This revocation is made in furtherance of an exchange under section 8 of the act of June 28, 1934, as amended by section 3 of the act of June 26, 1936 (48 Stat. 1272; 49 Stat. 1976; 43 U. S. C.

615g) by which the offered lands will benefit a Federal land program. This restoration is, therefore, not subject to the provisions contained in the act of September 27, 1944 (58 Stat. 747; 43 U. S. C. 279-284) as amended, granting preference rights to veterans and others.

ORME LEWIS,
Assistant Secretary of the Interior.

OCTOBER 29, 1954.

[P. R. Doc. 54-8666; Filed, Nov. 3, 1954;
8:46 a. m.]

TITLE 47—TELECOMMUNICATION

Chapter I—Federal Communications Commission

[Docket No. 11165; FCC 54-1351]

[Rules Amdt. 3-27]

PART 3—RADIO BROADCAST SERVICES

TELEVISION BROADCAST STATIONS; TABLE OF ASSIGNMENTS

1. The Commission has under consideration its notice of proposed rule making issued on September 16, 1954 (FCC 54-1169) and published in the FEDERAL REGISTER on September 22, 1954 (19 F. R. 6083), proposing to assign Channel 10 to Goodland, Kansas, in response to a petition filed by Mr. James E. Blair.

2. The last day for filing comments in this proceeding was October 15, 1954. No comments proposing the proposed

amendment have been filed. In support of the requested amendment petitioner urged that the assignment of Channel 10 to Goodland would provide a needed service; that he will file an application for a construction permit; and that the proposed amendment conforms to the Commission's rules and standards. We are of the view that the assignment of Channel 10 to Goodland will serve the public interest.

3. Authority for the adoption of the amendment herein is contained in Sections 4 (i), 301, 303 (c), (d), (f), and (r) and 307 (b) of the Communications Act of 1934, as amended.

4. In view of the foregoing: It is ordered, That effective December 7, 1954, the table of assignments contained in § 3.606 of the Commission's rules and regulations is amended, insofar as the community named is concerned, as follows:

City:	Channel No.
Goodland, Kans.	10.31

(Sec. 4, 48 Stat. 1066 as amended; 47 U. S. C. 154. Interprets or applies secs. 301, 303, 307, 48 Stat. 1081, 1082, 1084; 47 U. S. C. 301, 303, 307)

Adopted: October 29, 1954.

Released: November 1, 1954.

FEDERAL COMMUNICATIONS
COMMISSION,

[SEAL] MARY JANE MORRIS,
Secretary.

[P. R. Doc. 54-8698; Filed, Nov. 3, 1954;
8:53 a. m.]

PROPOSED RULE MAKING

DEPARTMENT OF THE TREASURY

Bureau of Customs

[19 CFR Part 14]

[643.3]

PROCEDURES UNDER ANTIDUMPING ACT, 1921, AS AMENDED

NOTICE OF PROPOSED RULE MAKING

A proposed amendment to the regulations under the Antidumping Act was published in the FEDERAL REGISTER June 22, 1954. Comments were solicited and have been received. Revisions have been made in the light of these comments and the proposed amendment, thus revised, is republished herewith.

The basic objective of the amendment to the regulations is to make the administration of the Antidumping Act more effective for the purposes for which it was intended and to achieve a greater measure of speed and certainty in the administration of the law. That some change seemed necessary had become apparent from comments of American producers, American importers, and foreign producers alike. Underlying their comments was the fact that calculations required by existing regulations had become intricate, time consuming, and often did not result in a reasonable measure for price comparison.

The Antidumping Act provides in section 202 (a) that the mathematical calculation of dumping duty shall be based on sales of merchandise to the United States at less than foreign market value (or, in the absence of such value, than cost of production). The act provides in section 201 (a) that a finding of dumping by the Secretary shall be based (1) on injury or likelihood of injury to an industry in the United States and (2) sales of merchandise at less than fair value.

The terms "foreign market value" and "cost of production" are defined in detail in sections 205 and 206 of the act. The term "fair value," undefined in the law, has heretofore been defined by the regulations to be synonymous with foreign market value (or, in the absence of such value, cost of production).

In general, the proposed amendment seeks to define the fair value of imported merchandise as the amount determined by the Secretary of the Treasury to be the price usually received by the producer for such merchandise in his ordinary commercial transactions. As proposed in the June 22, 1954, issue of the FEDERAL REGISTER, the amendment to the regulations specifically redefined fair value in terms of the price at which more than half of the foreign producer's merchandise had been sold for consumption

in his country and in third countries other than the United States over a representative period. As redrafted and herein republished, the amendment takes account of the fact that the determination of third country sales may be a complicated matter and therefore would ordinarily base fair value simply on sales for home consumption in the producer's country, but would base it on sales otherwise than for exportation to the United States, i. e., sales for home consumption and to third countries, where the quantity of home sales is so small as to furnish an inadequate basis for comparison. In addition, the redrafted amendment to the regulations would provide for calculating fair value by reference to prices charged by other foreign producers for similar merchandise when access to the foreign producer's records is not feasible, or where the information obtained from the foreign producer is insufficient or inadequate. Other changes have also been made after careful consideration of many helpful comments received.

The new definition should ordinarily produce a figure for fair value well in advance of the time required for calculating foreign market value or cost of production. A sale at less than fair value as so defined will ordinarily justify a belief that there have been, or are

likely to be, sales at less than foreign market value (or in the absence of such value, than the cost of production).

Prior to the final adoption of the proposed amendment, consideration will be given to any data, views, or arguments pertaining thereto which are submitted in writing, in duplicate, to the Commissioner of Customs, Washington 25, D. C., within the period of forty days from the date of publication of this notice in the FEDERAL REGISTER. Dates for hearings will be announced later. The proposed amendment is to be issued under the authority of R. S. 161, 251, sec. 407, 42 Stat. 18; 5 U. S. C. 22, 19 U. S. C. 66, 173.

[SEAL] RALPH KELLY,
Commissioner of Customs.

Approved: November 1, 1954.

H. CHAPMAN ROSE,
Acting Secretary of the Treasury.

In order to clarify, simplify, and make more effective and uniform the administration of the Antidumping Act, 1921, as amended, the Customs Regulations (19 CFR Ch. I) are amended as follows:

1. Section 14.7 of the Customs Regulations is amended to read as follows:

§ 14.7 Fair value—(a) Definition.¹⁵ For the purposes of section 201 (a) of the Antidumping Act, 1921, as amended (19 U. S. C. 160 (a)), the fair value of imported merchandise shall be determined as follows:

(1) Fair value based on price in country of exportation; the usual test. Merchandise imported into the United States will ordinarily be considered to have been sold at less than fair value if the purchase price, or exporter's sales price as defined in sections 203 and 204 respectively of the Antidumping Act, as amended (19 U. S. C. 162, 163), as the case may be of commercially significant quantities thereof is materially less than the price (after adjustment, as provided in section 205 of the Antidumping Act (19 U. S. C. 164)) at which such or similar merchandise is sold by the foreign producer for consumption in the country of exportation on or about the date of sale of the merchandise imported into the United States or, in the case of merchandise imported on consignment, the date of exportation thereof.

(2) Fair value based on sales in country of exportation and in other countries, not including United States. If, however, it is demonstrated that during the applicable time period the quantity of such or similar merchandise sold by the foreign producer for consumption in the country of exportation is so small, in relation to the quantity sold by such producer for exportation otherwise than to the United States, as to be an inadequate basis for comparison, then merchandise imported into the United States will ordinarily be deemed to have been sold at less than fair value if the purchase price or the exporter's sales price (as defined in sections 203 and 204 respectively of the Antidumping Act, as amended), as the case may be, of commercially significant quantities thereof is materially less than the price (after adjustment, as provided in section 205 of the Antidumping Act, as amended) at which such or similar merchandise is sold by the for-

eign producer otherwise than for exportation to the United States (i. e. for consumption in the country of exportation and for exportation otherwise than to the United States) on or about the date of sale of the merchandise imported into the United States or, in the case of merchandise imported on consignment, the date of exportation thereof. Sales "otherwise than for exportation to the United States" shall not include consignments to the United States to be sold in the United States after arrival.

(3) Determination based on sales by other foreign producers. If the Secretary deems the available information as to the prices of the foreign producer insufficient or inadequate, he may determine fair value under subparagraph (1) or (2) of this paragraph on the basis of prices of other foreign producers in the same country for similar merchandise.

(4) Fair value based on cost of production. If the information available is deemed by the Secretary insufficient or inadequate for a determination under subparagraph (1), (2) or (3) of this paragraph, he will determine fair value on the basis of the cost of production as defined in section 206 of the Antidumping Act, as amended (19 U. S. C. 165).

(b) Calculation of fair value. In calculating fair value under section 201 (a) Antidumping Act, 1921, as amended (19 U. S. C. 160 (a)), the following criteria shall be applicable:

(1) Quantities and circumstances of sale. A reasonable allowance may be made for any differences in quantities and circumstances of sale.

(2) Offering price. The foreign producer's offering price may be considered in the absence of sales.

(3) Sales agency. If the foreign producer sells through a sales agency or other organization related to such producer in any of the respects described in section 207 of the Antidumping Act, as amended (19 U. S. C. 166), the prices at which the producer's merchandise is sold by such sales agency or other organization may be used in determining whether there have been sales at less than fair value.

(4) Fictitious sales. In the determination of fair value, no pretended sale or offer for sale, and no sale or offer for sale intended to establish a fictitious market, shall be taken into account.

(5) Sales at varying prices: Where the prices charged by a foreign producer (after adjustment as provided in section 205 of the Antidumping Act and after allowances contemplated by subparagraph

(1) of this paragraph vary, in the sales under consideration, determination of fair value will take into account the following: (i) The prices of a preponderance of the merchandise thus sold, (ii) weighted averages of the prices of the merchandise thus sold, or (iii) any other available criteria that the Secretary may deem reasonable.

2. Footnote 15, appended to § 14.7 is revised to read as follows:

¹⁵ The definition of fair value does not in any way modify or affect definitions of foreign market value given in section 205 or of cost of production given in section 206 or the application of a foreign market value (or, in the absence of such value, cost of production) as defined in the Act as a basis for determining whether or not to withhold appraisement under section 201 (b) or for imposition of duty under section 202.

An industry in the United States which considers that it is being injured by sales of merchandise at less than fair value will ordinarily have insufficient information on which to submit proof either of fair value as herein defined, or foreign market value or cost of production as defined in sections 205 and 206. The industry may, however, submit, and appraisers will consider, such material as is available to it, including information indicating the market price for similar merchandise in the country of exportation and in any third countries in which merchandise of the producer complained of is known to be sold. Information submitted by an industry and information submitted by the foreign producer and others will be of value in assisting the Treasury to establish the basis for fair value, foreign market value, or cost of production.

Fair value is computed on the basis of sales for consumption in the country of exportation or otherwise than for exportation to the United States at or about the date of the sale or exportation to the United States. However, in cases where it may be important to determine either the stability of the market or its trend, as well as to determine whether there has been a fictitious sale as described in paragraph (b) (4), of this section, it will be helpful to the Secretary to have information as to sales made for consumption in the country of exportation or otherwise than for exportation to the United States over a significant period of time immediately preceding the date of sale or exportation.

EXAMPLES FOR PURPOSES OF DISCUSSION

A few examples of what would and what would not be considered sales at less than fair value are given below for purposes of discussion. With the exception of Examples 4 and 5, it is assumed that individual sales are in the same average quantities and with the exception of Example 6, that they are also made under the same circumstances.

Example 1. A foreign producer has made the following sales of a particular product over a representative period:

Sales for consumption in country of exportation	Sales for exportation otherwise than to the United States	Sales to the United States
75,000 units at \$1.00.....	25,000 units at \$0.91.....	15,000 units at \$0.90.

The quantity of sales of this product in the country of exportation, amounting to 75,000 units, is sufficiently large in relation to the total of 100,000 units sold otherwise than for exportation to the United States to constitute an adequate basis for comparison with sales to the United States. (See paragraph (a) (1) and (2) of this section.) The price for sale to the United States is materially less than the price in the country of exportation. The foreign producer is therefore selling in the United States below

fair value. This will be so even if the home market sales involve a restriction for which allowance need not be made because of circumstances of sale (such a restriction might be the typical limitation of right of resale to a specified area) and the third country sales are freely offered, so that the foreign market value under section 205 of the Antidumping Act is \$0.91.

Example 2. A foreign producer has made the following sales of a particular product:

Sales for consumption in country of exportation	Sales for exportation otherwise than to the United States	Sales to the United States
25,000 units at \$0.95	75,000 units at \$0.90	15,000 units at \$0.90

The foreign producer can show that the quantity of sales of this product in the country of exportation, amounting to 25,000 units, is so small in relation to the total of 100,000 units sold otherwise than for exportation to the United States, as to be an inadequate basis for comparison with sales to the United States. Determination of fair value will therefore be based on the selling price otherwise than for exportation to the United States, pursuant to paragraph (a) (2) of this section. This price is \$0.90. In the absence of special circumstance it would appear that the sales for exportation to the United States were not below fair value, whether determined on the basis of material variation below a preponderance of other sales, or a weighted average of such sales, or otherwise. This may be so even if the home market sales are freely offered and therefore represent the foreign market value, and the third country sales are restricted, provided that the restriction is one (such as the typical limitation of right of resale to a specified area) for which allowance need not be made because of the circumstances of the sale.

Example 3. A foreign producer has sold his merchandise for consumption in the country of exportation at or about the date of the sale or exportation to the United States at the following prices:

2,000 tons at \$32.00 ton.
900 tons at \$32.50 ton.
2,000 tons at \$33.00 ton.
1,000 tons at \$33.10 ton.

Sales to the United States have been made by this supplier in the same average

Sales for consumption in country of exportation	Quantity for each sale	Sales to United States	Quantity for each sale
200,000 pounds at \$0.85	Units of 100 pounds	100,000 pounds at \$0.80	Units of 1,000 pounds
100,000 pounds at \$0.80	Units of 1,000 pounds		

Although the preponderance of sales during the period (200,000 lbs.) were at a price of \$0.85 as opposed to the United States price of \$0.80, the lower United States price is justified on the ground that the home price pattern shows that to be the prevailing price for units of 1,000 lbs., which were the units involved in the United States sales.

Example 6. A foreign producer sells for consumption in the country of exportation at \$10 a unit to wholesalers and at \$12 a unit to retailers, regardless of quantities. He sells to purchasers in the United States at the same prices under the same circumstances, i. e. \$10 a unit to wholesalers and \$12 a unit to retailers, regardless of quantities.

Making allowance for the circumstances of sale, the sales to wholesalers in the United States at \$10 a unit will not be sales below fair value.

[F. R. Doc. 54-8708; Filed, Nov. 2, 1954; 12:37 p. m.]

Internal Revenue Service

[26 CFR (1939) Part 29]

INCOME TAX; DISTRIBUTION IN REDEMPTION OR CANCELLATION OF STOCK TAXABLE AS DIVIDEND

WITHDRAWAL OF NOTICE OF PROPOSED RULE MAKING

Pursuant to the Administrative Procedure Act, approved June 11, 1946, a proposed revision of § 29.115-9 of Regulations 111 was published in tentative form as the appendix attached to a

No. 215—2

quantities at a uniform price of \$32.90 per ton during the period. The difference in price between the producer's home market sales or any average thereof and his sales to the United States is so slight that it is not "material" unless such factors as small margin of profit and the sensitive condition of the market justify the conclusion that the difference is in fact "material."

Example 4. A foreign producer makes all of his sales, other than those to the United States, for consumption in the country of exportation. The majority of the merchandise thus sold by him is sold at list prices, net. However, a discount of 5 percent is granted on sales of more than 500 tons. Sales to the United States are at list price less 10 percent and have been in quantities of 10,000 tons or more. There have been no other sales by this producer in such quantities. Since the discount appears to be a reasonable one in view of the difference in quantities, the sales will not be considered to have been made at less than fair value in the absence of evidence that the price differential was not due to the differences in quantities.

The same result could obtain if the pricing pattern showed a differential because of quantity even though there were no list prices, or the list prices did not specify quantity discounts. This is shown in Example 5.

Example 5. A foreign producer has the following record of sales at or about the date of sale or exportation to the United States:

notice of proposed rule making published in the FEDERAL REGISTER for October 10, 1951 (16 F. R. 10312). The proposed revision of the regulations was to have been issued under the authority contained in section 62 of the Internal Revenue Code (53 Stat. 32; 26 U. S. C. 62).

In view of the consideration given the rules respecting the taxation of stock redemptions by the Congress in connection with the Internal Revenue Code of 1954, approved August 16, 1954, notice is hereby given that such proposal to revise the regulations is hereby withdrawn.

[SEAL] T. COLEMAN ANDREWS,
Commissioner of Internal Revenue.

[F. R. Doc. 54-8709; Filed, Nov. 3, 1954; 8:55 a. m.]

DEPARTMENT OF AGRICULTURE

Agricultural Marketing Service

[7 CFR Part 978]

[Docket No. AO-184-A11]

HANDLING OF MILK IN NASHVILLE, TENNESSEE MARKETING AREA

NOTICE OF HEARING ON PROPOSED AMENDMENTS TO TENTATIVE MARKETING AGREEMENT AND TO ORDER, AS AMENDED

Pursuant to the Agricultural Marketing Agreement Act of 1937, as amended

(7 U. S. C. 601 et seq.), and the applicable rules of practice and procedure governing the formulation of marketing agreements and marketing orders (7 CFR Part 900), notice is hereby given of a public hearing to be held in the County Courtroom, Davidson County Court House, Nashville, Tennessee, beginning at 10:00 a. m., November 9, 1954, for the purpose of receiving evidence with respect to the proposed amendments hereinafter set forth, or appropriate modification thereof, to the tentative marketing agreement heretofore approved by the Secretary of Agriculture and to the order, as amended, regulating the handling of milk in the Nashville, Tennessee, marketing area (7 CFR 978 et seq.). The proposed amendments have not received the approval of the Secretary of Agriculture.

The amendments to the order, as amended, regulating the handling of milk in the Nashville, Tennessee, milk marketing area were proposed by the Nashville Milk Producers, Inc., and handlers regulated by the Nashville, Tennessee Milk Marketing Order.

Proposed by Nashville Milk Producers, Inc. as follows:

1. Change the method of pooling in the Nashville market from a market-wide pool to an individual dealer pool.
2. Delete § 978.9 and substitute therefore:

§ 978.9 *Fluid milk plant.* "Fluid milk plant" means (a) any milk plant from which Class I milk is disposed of to retail or wholesale outlets in the marketing area, or (b) any plant from which Grade "A" milk or skim milk is shipped to a plant specified in paragraph (a) of this section.

3. Delete § 978.10 and substitute therefore:

§ 978.10 *Producer.* "Producer" means any person who produces Grade A milk, which milk is (a) received at a fluid milk plant or (b) diverted from a fluid milk plant to any milk distributing or milk manufacturing plant: *Provided,* That any such milk so diverted shall be deemed to have been received by the handler for whose account it was diverted.

4. Delete § 978.11 and substitute therefore:

§ 978.11 *Handler.* "Handler" means any person in the capacity as the operator of a fluid milk plant.

5. Clarify § 978.41 (a) with reference to requiring approval from the currently nonexistent Nashville Health Department and name items to be classified as Class I.

6. Revise § 978.50 (a) to include companies and locations currently doing business.

7. In § 978.50 (c) delete: "3¼ cents for each full ½ cent that" and substitute therefor "7½ times".

8. Delete § 978.51 (a) and substitute therefore:

(a) *Class I milk.* The price for Class I milk shall be the basic formula price plus a differential of \$1.25 for the months March through August and \$1.70 for the months September through February.

9. Delete § 978.51 (b) and substitute therefor the following:

(b) *Class II milk.* The price per hundredweight for Class II milk shall be the higher of the following:

(1) The arithmetical average of the basic (or field) prices reported to have been paid or to be paid per hundredweight for milk of 4.0 percent butterfat content received from farmers during the delivery period at the following plants or places for which prices have been reported to the Market Administrator or to the Department of Agriculture on or before the 6th day after the end of the delivery period by the companies indicated below:

Borden Co., Fayetteville, Tenn.
Borden Co., Lewisburg, Tenn.
Carnation Co., Murfreesboro, Tenn.
Kraft Foods Co., Gallatin, Tenn.
Kraft Foods Co., Pulaski, Tenn.
Lakeshire-Marty Cheese Co., Carthage, Tenn.
Pet Milk Co., Franklin, Ky.
Sumner County Cooperative Creamery, Gallatin, Tenn.
Swift and Co., Lawrenceburg, Tenn.
Wilson and Co., Murfreesboro, Tenn.

(2) A pricing provision that will yield seasonally 25 to 35 cents per hundred pounds more than the present Class II price.

10. Amend § 978.52 (a) by deleting the figure "1.3" and substituting therefor: "1.2".

11. Delete § 978.61 (b) and substitute therefor:

(b) An entire base may be transferred by notifying the market administrator in writing before the last day of any month for which such base is to be transferred to the person named in such notice: *Provided*, That if the base is held jointly and such joint holding is terminated, the entire base transferrable by any joint holder shall be his portion of such jointly held base as indicated by the joint holders.

12. Amend § 978.82 so that the last phrase therein will read, "and then adjust to the nearest even one-tenth of a cent."

Proposed by Handlers Regulated by the Nashville, Tennessee Milk Marketing Order:

13. Amend § 978.41 to provide that skim milk and butterfat disposed of as egg nog shall be classified as Class II milk.

14. Amend § 978.51 (a) (1) to provide that producer milk disposed of to others than handlers regulated by this order and classified as Class I shall be included in the total receipts of producer milk, and excluded from the gross volume of Class I milk.

15. Amend § 978.43 *transfers to:*

a. Eliminate any provision whereby the distance which milk is transferred or diverted determines the classification assigned to such milk.

b. Provide that mutual indication in writing to the Market Administrator by the transferor and transferee fluid milk plant or nonfluid milk plant of the class utilization of such milk so transferred or diverted shall discharge the transferor

from any liability by reclassification of such milk by the market administrator.

Proposed by the Dairy Division, Agricultural Marketing Service:

16. Clarify the other source milk definition by specifying that Class II products not utilized in the plant during the month are not included.

17. Make such changes as may be required to make the entire marketing agreement and order conform with any amendments thereto that may result from this hearing.

Copies of this notice of hearing and of the order now in effect may be procured from the Market Administrator, Presbyterian Building, Room 101, 152 4th Avenue, North, Nashville 3, Tennessee, or from the Hearing Clerk, Room 1371, South Building, United States Department of Agriculture, Washington 25, D. C., or may be there inspected.

Dated: November 1, 1954, at Washington, D. C.

[SEAL] ROY W. LENNARTSON,
Deputy Administrator.

[F. R. Doc. 54-8712; Filed, Nov. 3, 1954; 8:56 a. m.]

FEDERAL COMMUNICATIONS COMMISSION

[47 CFR Part 2]

[Docket No. 11211; FCC 54-1368]

FREQUENCY ALLOCATIONS AND RADIO TREATY MATTERS; GENERAL RULES AND REGULATIONS

NOTICE OF PROPOSED RULE MAKING

In the matter of amendment of Part 2 of the Commission's rules and regulations to provide for the allocation of frequencies to stations in the International Fixed Public Radio - communication Service in Southern Florida (south of 25° 30' North Latitude) in the frequency band 680-890 Mc, for an interim period the duration of which is later to be specified by the Commission, on the condition that harmful interference will not be caused to the broadcast service of the United States or other countries.

Notice is hereby given of proposed rule making in the above-entitled matter.

The Commission is in receipt of a petition from the American Telephone and Telegraph Company which indicates the possibility of early expansion of public communication facilities in Southern Florida at gateway terminals for international circuits provided an appropriate allocation of frequencies for this purpose is made in the frequency band 680-890 Mc. The petition indicates that all of the facilities in the existing cables terminating in Florida are now in use and that there is an immediate need for the expansion of facilities to meet the expected growth in demand in 1955 and subsequent years. The petition further states that the number of public telephone circuits which would be provided by additional cable facilities would be a maximum of only 36 telephone circuits whereas a radio system employing frequencies in the band 680-890 Mc would be capable of providing hundreds of tel-

ephone circuits and that such use of radio would permit experimentation with TV transmission looking toward the establishment of international TV broadcast service between Florida and Cuba. The petition further states that the petitioner's ultimate goal is to develop equipment which would permit the use of common carrier frequencies above 1,000 Mc but that these developments will require an indeterminate period for research.

The Commission is mindful of the need for constant expansion of international public communication facilities and is, therefore, proposing to amend the table of frequency allocations in Part 2 of the Commission's rules so as to provide, on an interim basis, for the allocation of frequencies between 680-890 Mc to the International Fixed Public Radiocommunication Service for use at locations in Southern Florida. The termination of this interim period would later be specified by the Commission when it is determined that equipments are available which will permit the use of frequency bands allocated to the fixed service.

The adoption of the rule amendment which is proposed herein will not, by itself, result in the assignment of any specific frequencies to any radio stations in the international fixed public radiocommunication service. The selection and assignment of specific frequencies to particular stations would be made only after the proposed rule amendment is adopted. Specific frequencies then would be selected for assignment to stations in the international fixed public radiocommunication service in such a way as to preclude interference to the reception of television broadcasting, both present and future, taking into account for this purpose pertinent technical factors such as the provisions of Subpart E of Part 3, rules governing Radio Broadcast Services. The Commission's studies of the aforementioned petition indicate that it is entirely feasible to select such frequencies in the band 680-890 Mc in this geographical area (Southern Florida) without the risk of causing interference to the TV broadcast service. It is therefore proposed to amend Part 2 of the Commission's rules by the insertion of a footnote in the table of frequency allocations therein which would read as follows:

Stations in the International Fixed Public Radiocommunication Service in Florida, South of 25° 30' North Latitude, may be authorized to use frequencies in the band 680-890 Mc on the condition that harmful interference will not be caused to the broadcasting service of any country. This is an interim allocation the termination of which will later be specified by the Commission when it is determined that equipments are generally available for use in bands allocated internationally to the fixed service.

In connection with this proceeding, the Commission is seeking information and reliable estimates as to the availability of suitable equipment and practical systems for accomplishing the proposed service on frequencies allocated internationally to the fixed service.

The proposed amendment to the rules is issued pursuant to the authority of

Sections 303 (c), (f) and (r) of the Communications Act of 1934, as amended, and the Final Acts of the International Telecommunication Radio Conference (Atlantic City 1947).

Any interested person who is of the opinion that the proposed amendment should not be adopted, or should not be adopted in the form set forth herein, may file with the Commission on or before December 3, 1954, written data, views or arguments setting forth his comments. Comments in support of the proposed amendment may also be filed on or before the same date. Comments in reply to the original comments may be filed within 10 days from the last day for filing said original data, views or arguments. No additional comments may be filed unless (1) specifically requested by the Commission or (2) good cause for the filing of such additional comments is established. The Commission will consider all such comments prior to taking final action in this matter, and if comments are submitted warranting oral argument, notice of the time and place of such oral argument will be given.

In accordance with the provisions of § 1.764 of the Commission's rules and regulations, an original and 14 copies of all statements, briefs or comments filed shall be furnished the Commission.

Adopted: October 29, 1954.

Released: November 1, 1954.

FEDERAL COMMUNICATIONS
COMMISSION,

[SEAL] MARY JANE MORRIS,
Secretary.

[F. R. Doc. 54-8697; Filed, Nov. 3, 1954;
8:53 a. m.]

[47 CFR Part 3]

[Docket No. 10905 FCC 54-1350]

TELEVISION BROADCAST STATIONS TABLE OF ASSIGNMENTS

1. The Commission has before it for consideration its notice of proposed rule making (FCC 54-184) issued in this proceeding on February 11, 1954, proposing to amend its table of television channel assignments as requested by KALE, Inc. as follows:

City	Channel No.	
	Present	Proposed
Lewiston, Idaho.....	3-	32+, 42
Richland, Wash.....	31	3-, 31

2. KALE, Inc., filed a comment supporting the proposed amendment stating that there were no applications on file for Channel 3 at Lewiston, and representing that in the event Channel 3 is assigned to Richland, KALE, Inc., will file an application for a station on Channel 3 in that community. It is contended that the proposed amendment would effect the best possible utilization of Channel 3 in the area and that Channel 3 in Richland would meet all Commission rules.

3. Oregon Radio, Inc., opposed the proposed shift of Channel 3 from Lewiston to Richland. Oregon Radio is the permittee of television station KSLM-TV in Salem, Oregon, and proposes to utilize a site 33 miles from Salem in the direction of Richland. This site would not meet the required minimum co-channel spacing for Zone II if Channel 3 is assigned to Richland. Oregon Radio contends that its proposed site is particularly suitable for large-area coverage and that any site which would comply with the minimum separations if Channel 3 is assigned to Richland would result in a reduction of proposed coverage and service to the more densely populated section of Oregon which it proposes to serve. Oregon Radio, therefore, opposes the assignment of Channel 3 to Richland and, in the alternative, urges that such assignment be made only on the condition that any applicant using the assignment must specify a transmitter site at least 190 miles from the site proposed by Oregon Radio.

4. Cascade Broadcasting Company, Inc., permittee of television station KIMA-TV at Yakima, Washington, has also filed an Opposition to the proposed assignment of Channel 3 at Richland. Cascade stated in its Opposition that it planned to apply for one of the UHF assignments in the Kennewick-Pasco-Richland area and has since the filing of the Opposition filed an application for a television station on Channel 19 in Pasco (BPCT-1904). Cascade contends that if Channel 3 is assigned to Richland, the operator of a station on that frequency would enjoy "a monopoly of television operation in this tri-city area of Washington", and would deprive the residents of the area of a choice of both network and local programming. Cascade submits that the Commission should maintain the assignments presently in the table.

5. On August 18, 1954, the Lewiston Chamber of Commerce filed an Opposition to the petition of KALE, Inc., and a petition for the acceptance of the late comment. The Commission is considering the Chamber of Commerce's comment in this proceeding. The Chamber of Commerce urges that Channel 3 should be retained in Lewiston. It is asserted that the terrain in the area can best be served by a VHF channel. The Chamber of Commerce contends that the State of Washington is already well served by television stations whereas the northern ten counties in Idaho do not have such service. It is urged that Lewiston is the focal point of a vast area and is the ideal place for the location of a television transmitter to serve a widespread area.

6. KALE, Inc., requests that VHF Channel 3 presently assigned to Lewiston be shifted to Richland. At the time its petition was filed there appeared to be no demand for such assignment in Lewiston since no applications for Channel 3 had been filed. However, since the filing of KALE, Inc.'s petition, an application for a station on Channel 3 in Lewiston has been filed by Lewiston TV Co. We are of the view that the assignments in the Lewiston and Richland areas should be

altered only upon a clear showing that the public interest requires a change. However, upon our careful consideration of the comments submitted in this proceeding, we have concluded that such a showing has not been made. We are of the view, therefore, that the petition of KALE should be denied.

7. In view of the foregoing: It is ordered, That the petition of KALE, Inc. is denied, and this proceeding is hereby terminated.

Adopted: October 29, 1954.

Released: November 1, 1954.

FEDERAL COMMUNICATIONS
COMMISSION,

[SEAL] MARY JANE MORRIS,
Secretary.

[F. R. Doc. 54-8694; Filed, Nov. 3, 1954;
8:53 a. m.]

[47 CFR Part 3]

[Docket No. 11206]

TELEVISION BROADCAST STATIONS; TABLE OF ASSIGNMENTS

NOTICE OF EXTENSION OF TIME FOR FILING COMMENTS AND REPLY TO ORDER TO SHOW CAUSE

1. On October 21, 1954, the Commission issued a notice of proposed rule making and order to show cause (FCC 54-1316) in the above-entitled matter which proposed to substitute Channel 39 for Channel 27 in Miami, Florida, and Channel 27 for Channel 25 in Belle Glade, Florida, and ordered WMIE-TV, Inc., to show cause why its authorization should not be modified to specify operation on Channel 39 in lieu of Channel 27. This notice specified that comments were to be filed on or before November 1, 1954, and a reply to the show cause order on the same date.

2. WMIE-TV, Inc., has requested an extension of time until November 8, 1954, in which to file an opposition to the aforesaid show cause order. WMIE-TV states that previously both the petitioner and WMIE-TV, Inc., were represented by the same counsel; that it was necessary for WMIE-TV, Inc., to obtain other counsel; and that this fact and the need for the preparation of an engineering statement renders the time provided by the Commission insufficient.

3. It is our view that a sufficient showing has been made warranting an extension of time for filing comments and a reply to the show cause order by WMIE-TV, Inc. Accordingly, notice is hereby given that the time for filing comments in the above-entitled matter and a reply to the show cause order is extended to November 8, 1954, and the time for filing replies to these comments is extended to November 15, 1954.

Adopted: October 29, 1954.

Released: November 1, 1954.

FEDERAL COMMUNICATIONS
COMMISSION,

[SEAL] MARY JANE MORRIS,
Secretary.

[F. R. Doc. 54-8695; Filed, Nov. 3, 1954;
8:53 a. m.]

[47 CFR Part 3]

[Docket No. 11210; FCC 54-1352]

TELEVISION BROADCAST STATIONS; TABLE OF ASSIGNMENTS

NOTICE OF PROPOSED RULE MAKING AND ORDER TO SHOW CAUSE

1. Notice is hereby given that the Commission has received a proposal for rule making in the above-entitled matter.

2. Boise Valley Broadcasters, Inc., permittee of television station KBOI, operating on Channel 2 at Meridian, Idaho, filed a petition on September 14, 1954, requesting that the table of assignments contained in § 3.606 of the rules governing television broadcast stations be amended to exchange Channels 2 and 9 between Caldwell, Idaho, and Boise, Idaho, as follows:

City	Channel No.	
	Present	Proposed
Boise, Idaho.....	*4+, 7, 9-	2, *4+, 7
Caldwell, Idaho.....	2	9-

Petitioner further requests that the Commission modify its outstanding authorization for Station KBOI to specify operation at Boise, in lieu of Meridian.

3. In support of its request, petitioner notes that it is the permittee of Station KBOI on Channel 2 in Meridian with temporary studios authorized at Boise. Petitioner notes that its transmitter site is located at Deer Point Peak some ten

miles Northeast of Boise. Petitioner submits that adoption of the proposed amendment would permit the station to use the Boise studios on a permanent basis, thereby enabling the station to render an efficient service to the greatest areas and populations. Petitioner desires to become a Boise station while retaining its present frequency and proposes to accomplish this by switching Channels 9 and 2 in Caldwell and Boise.

4. We are of the view that rule-making proceedings should be instituted with respect to the requests for reassignment of Channel 2 from Caldwell to Boise, and the reassignment of Channel 9 from Boise to Caldwell, in order that interested parties may submit their views to the Commission.

5. Authority for the adoption of the proposed amendment is contained in sections 4 (i), 301, 303 (c), (d), (f), and (r), and 307 (b) of the Communications Act of 1934, as amended.

6. Any interested party who is of the opinion that the amendment proposed by petitioner should not be adopted or should not be adopted in the form set forth herein may file with the Commission on or before November 22, 1954, a written statement or brief setting forth his comments. Comments in support of the proposed amendment may also be filed on or before the same date. Comments or briefs in reply to the original comments may be filed within 10 days from the last day for filing said original comments or briefs. No additional comments may be filed unless (1) speci-

cally requested by the Commission or (2) good cause for the filing of such additional comments is established. The Commission will consider all such comments that are submitted before taking action in this matter, and if any comments appear to warrant the holding of a hearing or oral argument, notice of the time and place of such hearing or oral argument will be given.

7. In accordance with the provisions of § 1.764 of the Commission's rules and regulations, an original and 14 copies of all statements, briefs, or comments shall be furnished the Commission.

8. Since Boise Valley Broadcasters, Inc., is presently authorized to operate Station KBOI with studios at Meridian, Idaho, and the rule making proposed herein would require Station KBOI to operate with studios at Boise, Idaho, Boise Valley Broadcasters, Inc., is ordered to show cause in this proceeding why its outstanding authorization should not be modified to specify operation on Channel 2 at Boise, Idaho, instead of Meridian, Idaho. A reply to the aforesaid Order to Show Cause should be filed on or before the date specified above for filing comments in the proceeding.

Adopted: October 29, 1954.

Released: November 1, 1954.

FEDERAL COMMUNICATIONS
COMMISSION,

[SEAL] MARY JANE MORRIS,
Secretary.

[F. R. Doc. 54-8696; Filed, Nov. 3, 1954;
8:53 a. m.]

NOTICES

DEPARTMENT OF THE TREASURY

Office of the Secretary

CENTRAL BANK FOR COOPERATIVES

DESIGNATION OF SECURITIES FOR EXEMPTION UNDER THE SECURITIES EXCHANGE ACT OF 1934

NOVEMBER 1, 1954.

Paragraph 12 of section 3 (a) of the Securities Exchange Act of 1934, as amended, provides in part that when used in title I thereof, unless the context otherwise requires, the term "exempted security" or "exempted securities" shall include such securities issued or guaranteed by corporations in which the United States has a direct or indirect interest as shall be designated for exemption by the Secretary of the Treasury as necessary or appropriate in the public interest or for the protection of investors.

Notice is hereby given that pursuant to paragraph 12 of section 3 (a) of the Securities Exchange Act of 1934, as amended, the Secretary of the Treasury on October 29, 1954, designated for exemption securities issued by the Central Bank for Cooperatives and the regional banks for cooperatives pursuant to Public Law 630, 83d Congress, approved August 23, 1954, amending section 37 of

the Farm Credit Act of 1933, as amended (12 U. S. C. 1134m).

This designation for exemption may be revoked, modified or amended at any time with respect to securities not issued prior to such time.

[SEAL] A. N. OVERBY,
Acting Secretary of the Treasury.

[F. R. Doc. 54-8710; Filed, Nov. 3, 1954;
8:55 a. m.]

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

NORTH DAKOTA

NOTICE OF PROPOSED WITHDRAWAL AND RESERVATION OF LANDS

OCTOBER 27, 1954.

An application, serial number M-013726 (ND), for the withdrawal from all forms of appropriation under the public land laws, except mining laws and mineral leasing laws of the lands described below was filed on July 1, 1953, by the Department of Agriculture.

The purposes of the proposed withdrawal: Transfer of public lands to Department of Agriculture for administration with Land Utilization Project ND-LU-24.

For a period of thirty days from the date of publication of this notice, per-

sons having cause to object to the proposed withdrawal may present their objections in writing to the State Supervisor, Bureau of Land Management, Department of the Interior at Billings, Montana. In case any objection is filed and the nature of the opposition is such as to warrant it, a public hearing will be held at a convenient time and place, which will be announced, where opponents to the order may state their views and where proponents of the order can explain its purpose.

The determination of the Secretary on the application will be published in the FEDERAL REGISTER, either in the form of a public land order or in the form of a notice of determination if the application is rejected. In either case, a separate notice will be sent to each interested party of record.

The lands involved in the application are:

FIFTH PRINCIPAL MERIDIAN, NORTH DAKOTA

T. 152 N., R. 97 W.
Sec. 4: NW¼SW¼;
Sec. 30: NW¼NE¼.

The areas described aggregate 80 acres.

R. D. NIELSON,
State Supervisor.

[F. R. Doc. 54-8687; Filed, Nov. 3, 1954;
8:46 a. m.]

[BLM 035543]

SOUTH DAKOTA

NOTICE OF PROPOSED WITHDRAWAL AND
RESERVATION OF LANDS; CORRECTION

OCTOBER 29, 1954.

The land description in Federal Register Document 54-4772 appearing on page 3850 of the issue for June 24, 1954, so far as such description relates to lands in Sixth Principal Meridian should read Fifth Principal Meridian.

W. G. GUERNSEY,
Associate Director.

[F. R. Doc. 54-8668; Filed, Nov. 3, 1954;
8:46 a. m.]

Bureau of Reclamation

[Commissioner's Order 34, Amdt. 1]

REGIONAL DIRECTOR AND DISTRICT
MANAGER, ALASKA DISTRICT

REDELEGATION OF AUTHORITY; LIMITATIONS

OCTOBER 29, 1954.

Paragraph (g), section 2, of Commissioner's Order No. 34 (19 F. R. 6555) is amended to read as follows:

(g) Approve farm unit plats and supplemental survey plats, except plats on the Columbia Basin Project;

W. A. DEXHEIMER,
Commissioner.

[F. R. Doc. 54-8669; Filed, Nov. 3, 1954;
8:47 a. m.]

CACHUMA PROJECT, CALIFORNIA

FIRST FORM RECLAMATION WITHDRAWAL

JANUARY 1, 1953.

Pursuant to the authority delegated by Departmental Order No. 2515 of April 7, 1949, I hereby withdraw the following-described lands from public entry, under the first form of withdrawal, as provided by section 3 of the act of June 17, 1902 (32 Stat. 388):

SAN BERNARDINO MERIDIAN, CALIFORNIA

T. 5 N., R. 26 W.,
Sec. 22, $W\frac{1}{2}W\frac{1}{2}$;
Sec. 23, $NW\frac{1}{4}NE\frac{1}{4}$, $N\frac{1}{2}NW\frac{1}{4}$;
Sec. 27, $NW\frac{1}{4}NW\frac{1}{4}$.

The above areas aggregate 320 acres.

G. W. LINEWEAVER,
Assistant Commissioner.

[Misc. 64129]

OCTOBER 29, 1954.

I concur. The records of the Bureau of Land Management will be noted accordingly.

W. G. GUERNSEY,
Associate Director,
Bureau of Land Management.

Notice for Filing Objections to Order
Withdrawing Public Lands for the
Cachuma Project, California

Notice is hereby given that for a period of 30 days from the date of publication of this notice, persons having cause to object to the terms of the above

order withdrawing certain public lands in the State of California, for use in connection with the proposed Camuesa Dam and Reservoir, Cachuma Project may present their objections to the Secretary of the Interior. Such objections should be in writing, should be addressed to the Secretary of the Interior, and should be filed in duplicate in the Department of the Interior, Washington 25, D. C.

In case any objection is filed and the nature of the opposition is such as to warrant it, a public hearing will be held at a convenient time and place, which will be announced, where opponents to the order may state their views and where the proponents of the order can explain its purpose, intent, and extent. Should any objection be filed, notice of the determination by the Secretary as to whether the order should be rescinded, modified or let stand will be given to all interested parties of record and the general public.

G. W. LINEWEAVER,
Assistant Commissioner.

[F. R. Doc. 54-8670; Filed, Nov. 3, 1954;
8:47 a. m.]

DIXON PROJECT ON LITTLE SNAKE RIVER,
COLORADO RIVER STORAGE, COLORADO

ORDER OF REVOCATION

MARCH 10, 1954.

Pursuant to authority delegated by Departmental Order No. 2515 of April 7, 1949 (14 F. R. 1937), I hereby revoke Departmental Order of March 5, 1937, insofar as said order affects the following described lands: *Provided, however*, That such revocation shall not affect the withdrawal of any other lands by said order or affect any other orders withdrawing or reserving the lands hereinafter described:

SIXTH PRINCIPAL MERIDIAN, COLORADO

T. 11 N., R. 94 W.,

Sec. 1: lots 1, 2, 3 and 4, $S\frac{1}{2}N\frac{1}{2}$ and $S\frac{1}{2}$;
Sec. 2: lots 1, 2, 3 and 4, $S\frac{1}{2}N\frac{1}{2}$ and $S\frac{1}{2}$;
Sec. 3: lots 1, 2, 3 and 4, $S\frac{1}{2}N\frac{1}{2}$ and $S\frac{1}{2}$;
Sec. 4: lots 1, 2, 3 and 4, $S\frac{1}{2}N\frac{1}{2}$ and $S\frac{1}{2}$;
Sec. 5: lots 1, 2, 3 and 4, $S\frac{1}{2}N\frac{1}{2}$ and $S\frac{1}{2}$;
Sec. 6: lots 1, 2, 3 and 8 to 20, incl., $S\frac{1}{2}NE\frac{1}{4}$ and $SE\frac{1}{4}$;
Sec. 7: lots 2 to 10, incl., $E\frac{1}{2}$ and $E\frac{1}{2}SW\frac{1}{4}$;
Secs. 8 to 17, inclusive;
Sec. 18: lots 1, 2, 3 and 4, $E\frac{1}{2}$ and $E\frac{1}{2}W\frac{1}{2}$;
Sec. 19: lots 1, 2, 3 and 4, $E\frac{1}{2}$ and $E\frac{1}{2}W\frac{1}{2}$;
Secs. 20 to 29, inclusive;
Sec. 30: lots 1, 2, 3 and 4, $E\frac{1}{2}$ and $E\frac{1}{2}W\frac{1}{2}$;
Sec. 31: lots 1, 2, 3 and 4, $E\frac{1}{2}$ and $E\frac{1}{2}W\frac{1}{2}$;
Secs. 32 and 33;
Sec. 34: lots 1, 2 and 3, $N\frac{1}{2}$, $N\frac{1}{2}S\frac{1}{2}$, $SW\frac{1}{4}$ and $SE\frac{1}{4}SE\frac{1}{4}$;
Secs. 35 and 36.

T. 12 N., R. 94 W.,

Sec. 13: lots 1 to 19, incl.;
Sec. 14: lots 1 to 19, incl.;
Sec. 19: lots 7, 8, and 11 to 15, incl., and $NW\frac{1}{4}SE\frac{1}{4}$;
Sec. 20: lots 14 to 27, incl.;
Sec. 21: lots 19 to 38, incl.;
Sec. 22: lots 1 to 27, incl.;
Sec. 23: lots 1 to 26, incl.;
Sec. 24: lots 1 to 35, incl.;
Sec. 25: lots 1 to 25, incl., $SW\frac{1}{4}$ and $SW\frac{1}{4}SE\frac{1}{4}$;
Sec. 26: lots 1 to 14, incl., and $S\frac{1}{2}$;
Sec. 27: lots 1 to 20, incl., $NE\frac{1}{4}SW\frac{1}{4}$ and $SE\frac{1}{4}$;

Sec. 28: lots 1 to 28, incl.;

Sec. 29: lots 1 to 24, incl., and $S\frac{1}{2}S\frac{1}{2}$;

Sec. 30: lots 1, 2 and 5 to 31, incl.;

Sec. 31: lots 5 to 30, incl.;

Sec. 32;

Sec. 33: lots 1 to 29, incl., and $W\frac{1}{2}SW\frac{1}{4}$;Sec. 34: lots 1 to 15, incl., and $E\frac{1}{2}$;

Secs. 35 and 36.

T. 10 N., R. 95 W.,

Sec. 1: lots 1, 2, 3 and 4, $S\frac{1}{2}N\frac{1}{2}$ and $S\frac{1}{2}$;Sec. 2: lots 1, 2, 3 and 4, $S\frac{1}{2}N\frac{1}{2}$ and $S\frac{1}{2}$;Sec. 3: lots 1, 2, 3 and 4, $S\frac{1}{2}N\frac{1}{2}$ and $S\frac{1}{2}$;Sec. 4: lots 1 to 11, incl., $S\frac{1}{2}N\frac{1}{2}$ and $SE\frac{1}{4}$;

Sec. 5: lots 1, 2, 3 and 5 to 30, incl.;

Sec. 6: lots 8 to 39, incl.;

Sec. 7: lots 5 to 29, incl.;

Sec. 8: lots 1 to 29, incl.;

Sec. 9: lots 1 to 21, incl., $NE\frac{1}{4}$ and $E\frac{1}{2}SE\frac{1}{4}$;

Secs. 10 to 14, inclusive;

Sec. 15: lots 1 to 13, incl., and $E\frac{1}{2}$;

Sec. 16: lots 1 to 26, incl.;

Sec. 17: lots 1 to 25, incl.;

Sec. 18: lots 5 to 29, incl.;

Sec. 19: lots 5 to 23, incl., $S\frac{1}{2}NE\frac{1}{4}$ and $SE\frac{1}{4}$;Sec. 20: lots 1 to 9, incl., $S\frac{1}{2}N\frac{1}{2}$ and $S\frac{1}{2}$;Sec. 21: lots 1 to 9, incl., $S\frac{1}{2}N\frac{1}{2}$ and $S\frac{1}{2}$;Sec. 22: lots 1, 2, 3 and 4, $NE\frac{1}{4}$, $S\frac{1}{2}NW\frac{1}{4}$ and $S\frac{1}{2}$;

Secs. 23 to 29, inclusive;

Sec. 30: lots 5 to 18, incl., and $E\frac{1}{2}$;Sec. 31: lots 5 to 23, incl., $NE\frac{1}{4}$ and $N\frac{1}{2}SE\frac{1}{4}$;Sec. 32: lots 1, 2, 3 and 4, $N\frac{1}{2}$, $N\frac{1}{2}S\frac{1}{2}$ and $S\frac{1}{2}SE\frac{1}{4}$;

Secs. 33 to 36, inclusive.

T. 11 N., R. 95 W.,

Sec. 1: lots 5 to 29, incl.;

Sec. 2: lots 1 to 25, incl.;

Sec. 3: lots 1 to 23, incl.;

Sec. 4: lots 7 to 17, incl., $N\frac{1}{2}SW\frac{1}{4}$ and $SW\frac{1}{4}SW\frac{1}{4}$;Sec. 8: lots 11 to 20, incl., and $W\frac{1}{2}SW\frac{1}{4}$;

Sec. 9: lots 1 to 27, incl.;

Sec. 10: lots 1 to 25, incl.;

Sec. 11: lots 1 to 25, incl.;

Sec. 12: lots 1 to 27, incl.;

Sec. 13: lots 1 to 6, incl., $NE\frac{1}{4}$, $SE\frac{1}{4}NW\frac{1}{4}$ and $S\frac{1}{2}$;Sec. 14: lots 1 to 25, incl., and $S\frac{1}{2}SE\frac{1}{4}$;

Sec. 15: lots 1 to 25, incl.;

Sec. 16: lots 1 to 25, incl.;

Sec. 17: lots 1 to 31, incl., and $NW\frac{1}{4}NW\frac{1}{4}$;

Sec. 19: lots 3, 4 and 16 to 27, incl.;

Sec. 20: lots 1 to 28, incl.;

Sec. 21: lots 1 to 25, incl.;

Sec. 22: lots 1 to 24, incl., and $SE\frac{1}{4}$;Sec. 23: lots 1 to 7, incl., $NE\frac{1}{4}$ and $S\frac{1}{2}$;

Secs. 24, 25 and 26;

Sec. 27: lots 1 to 8, incl., $NE\frac{1}{4}$ and $S\frac{1}{2}$;Sec. 28: lots 1 to 13, incl., and $S\frac{1}{2}$;

Sec. 29: lots 1 to 25, incl.;

Sec. 30: lots 1, 2 and 5 to 29, incl.;

Sec. 31: lots 5 to 29, incl.;

Sec. 32: lots 1 to 24, incl., and $S\frac{1}{2}SE\frac{1}{4}$;

Secs. 33 to 36, incl.

T. 9 N., R. 96 W.,

Sec. 1: lots 5 to 29, incl.;

Sec. 2: lots 5 to 29, incl.;

Sec. 3: lots 1 to 18, incl.;

Sec. 4: lots 1 and 2, $S\frac{1}{2}NE\frac{1}{4}$ and $SE\frac{1}{4}$;Sec. 9: $E\frac{1}{2}$;

Sec. 10: lots 1 to 28, incl.;

Sec. 11: lots 1 to 25, incl.;

Sec. 12: lots 1 to 26, incl., and $SE\frac{1}{4}$;Sec. 13: lots 1 to 14, incl., and $E\frac{1}{2}$;

Sec. 14: lots 1 to 25, incl.;

Sec. 15: lots 1 to 26, incl.;

Sec. 16: lots 1 to 29, incl.

T. 10 N., R. 96 W.,

Sec. 1: lots 4 to 33, incl.;

Sec. 2: lots 6 to 9, incl., and $W\frac{1}{2}SE\frac{1}{4}$;Sec. 11: lots 1 to 9, incl., and $W\frac{1}{2}E\frac{1}{2}$;

Sec. 12: lots 1 to 25, incl.;

Sec. 13: lots 1 to 27, incl.;

Sec. 14: lots 1 to 7, incl., $W\frac{1}{2}E\frac{1}{2}$ and $SE\frac{1}{4}SE\frac{1}{4}$;Sec. 24: lots 1 to 24, incl., $SW\frac{1}{4}NW\frac{1}{4}$ and $NW\frac{1}{4}SW\frac{1}{4}$;

Sec. 25: lots 1 to 27, incl.;

Sec. 26: lots 1 to 14, incl., S $\frac{1}{2}$ NE $\frac{1}{4}$, W $\frac{1}{2}$ W $\frac{1}{2}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$ and NW $\frac{1}{4}$ SE $\frac{1}{4}$;
 Sec. 35: lots 1 to 27, incl.;
 Sec. 36: lots 1 to 25, incl.
 T. 11 N., R. 96 W.,
 Sec. 35: lots 1 to 8, incl., and W $\frac{1}{2}$ E $\frac{1}{2}$;
 Sec. 36: lots 1 to 5, incl., 12 to 18, incl., 23, 24 and 25.

The above areas aggregate 90,240.17 acres.

S. W. CROTHWAIT,
Acting Commissioner.

[Misc. 66686]

OCTOBER 27, 1954.

I concur. The records of the Bureau of Land Management will be noted accordingly.

Portions of the above-described lands have been patented. The remainder are chiefly rolling to mountainous grazing lands. The vegetative cover consists primarily of sagebrush and grass, with small areas of pinin-juniper in the more mountainous sections. The soils vary from sandy clay to gravelly clay formations.

No application for the lands may be allowed under the homestead, desert-land, small tract, or any other non-mineral public-land law unless the lands have already been classified as valuable or suitable for such type of application, or shall be so classified upon the consideration of an application. Any application that is filed will be considered on its merits. The lands will not be subject to occupancy or disposition until they have been classified.

This order shall not otherwise become effective to change the status of the described lands until 10:00 a. m. on the 35th day after the date of this order. At that time the said lands shall become subject to application, petition, location and selection, subject to valid existing rights, the provisions of existing withdrawals, the requirements of applicable laws, and the 91-day preference-right filing period for veterans and others entitled to preference under the act of September 27, 1944 (58 Stat. 747; 43 U. S. C. 279-284), as amended.

Veterans' preference-right applications under the act of September 27, 1944 (58 Stat. 747; 43 U. S. C. 279-284), as amended, may be filed on or before 10:00 a. m., on the 35th day after the date of this order, and those covering the same lands shall be treated as though simultaneously filed at that time. Applications filed under the act after that time and during the succeeding 91 days shall be considered in the order of filing. Applications by the general public under the public-land laws, filed on or before 10:00 a. m., on the 126th day after the date of this order shall be treated as though simultaneously filed at that time, where the applications are for the same lands; otherwise, priority of filing shall govern.

Inquiries regarding the lands shall be addressed to the Manager, Land Office, Bureau of Land Management, Denver, Colorado.

DEPUE FALCK,
Acting Director,
Bureau of Land Management.

[F. R. Doc. 54-8671; Filed, Nov. 3, 1954; 8:47 a. m.]

DEPARTMENT OF LABOR

Wage and Hour Division

[Administrative Order 442]

PUERTO RICO

NOTICE OF RESIGNATION FROM AND APPOINTMENT TO SPECIAL INDUSTRY COMMITTEES NOS. 16B AND 16C

Mr. James B. Carey of Washington, D. C., has resigned from membership in Special Industry Committees Nos. 16B and 16C for Puerto Rico.

Pursuant to authority under the Fair Labor Standards Act of 1938, as amended (29 U. S. C. 201 et seq.), I, Wm. R. McComb, Administrator of the Wage and Hour Division, United States Department of Labor, hereby appoint David Lasser of Washington, D. C., to serve as a representative of employees on Special Industry Committees Nos. 16B and 16C.

Signed at Washington, D. C., this 1st day of November 1954.

WM. R. McComb,
Administrator,
Wage and Hour Division.

[F. R. Doc. 54-8690; Filed, Nov. 3, 1954; 8:52 a. m.]

CIVIL AERONAUTICS BOARD

[Docket Nos. 3476, 5879]

WESTERN AIR LINES, INC.; SERVICE TO SIOUX FALLS, S. DAK.

NOTICE OF HEARING

In the matter of the applications of the City of Sioux Falls, S. Dak., Docket No. 3476, and of Western Air Lines, Inc., Docket No. 5879, for amendment of the certificate of public convenience and necessity held by Western Air Lines, Inc., for route No. 35 pursuant to section 401 (h) of the Civil Aeronautics Act of 1938, as amended.

Notice is hereby given, pursuant to the Civil Aeronautics Act of 1938, as amended, particularly sections 401 and 1001 of said act, that a hearing in the above-entitled proceeding will be held on December 6, 1954, at 10:00 a. m., local time, in Room 312, U. S. Post Office Building, Sioux Falls, S. Dak.

Without limiting the scope of the issues presented by the applications consolidated herein particular attention will be directed to the following matters:

1. Whether the public convenience and necessity require the amendment of the certificate of public convenience and necessity held by Western Air Lines, Inc., for route No. 35 so as to include Sioux Falls, S. Dak., as an intermediate point on said route.

2. Whether Western Air Lines, Inc., is fit, willing and able properly to perform the air transportation to be authorized and to conform to the provisions of the act and the rules, regulations and requirements of the Board thereunder.

For further details of the issues involved in this proceeding, interested persons are referred to the applications, Amendment No. 1 to the application in Docket No. 3476, the Prehearing Conference Report, and the Consolidation

Order (No. E-8695) comprised in the record in this proceeding on file with the Civil Aeronautics Board.

Notice is further given that any person, other than a party of record, desiring to be heard in this proceeding must file with the Board on or before December 6, 1954, a statement setting forth the propositions of fact or law which he desires to advance.

Dated at Washington, D. C., October 29, 1954.

[SEAL]

FRANCIS W. BROWN,
Chief Examiner.

[F. R. Doc. 54-8711; Filed, Nov. 3, 1954; 8:55 a. m.]

FEDERAL COMMUNICATIONS COMMISSION

[Docket Nos. 11076, 11077; FCC 54M-1360]

SOUTHERN INDIANA BROADCASTERS, INC. AND MT. VERNON BROADCASTING CO.

ORDER CONTINUING HEARING

In re applications of Southern Indiana Broadcasters, Inc., Newburgh, Indiana, Docket No. 11076, File No. BP-9063; Harry C. Sanders and Norman Hall d/b as Mt. Vernon Broadcasting Co., Mt. Vernon, Indiana, Docket No. 11077, File No. BP-9124; for construction permit.

At the oral request of counsel for Southern Indiana Broadcasters, Inc., and without objection by counsel for the other parties: *It is ordered*, This 29th day of October 1954, that the prehearing conference scheduled for November 1, 1954, is continued indefinitely, to permit consideration of Southern Indiana's petition for leave to amend to another frequency.

FEDERAL COMMUNICATIONS COMMISSION,

[SEAL]

MARY JANE MORRIS,
Secretary.

[F. R. Doc. 54-8691; Filed, Nov. 3, 1954; 8:52 a. m.]

[Docket No. 11103; FCC 54M-1362]

WEST TENNESSEE BROADCASTING CO.

ORDER CONTINUING HEARING

In re application of West Tennessee Broadcasting Company consisting of General Partners: H. E. Williams and Herbert J. Kropf; Limited Partners: Hubert E. Clemmer, G. W. Threadgill, Guy Harwood, Ben I. King and Bryant Cunningham, Milan, Tennessee, for construction permit; Docket No. 11103, File No. BP-9211.

The Commission having under consideration a petition filed on October 26, 1954, on behalf of West Tennessee Broadcasting Company, requesting that the hearing in the above-entitled proceeding, now scheduled to be held in Washington, D. C., on November 10, 1954, be continued for a period of thirty days, until December 10, 1954; and

It appearing that sufficient good cause has been shown to warrant a grant of the relief requested within the meaning of § 1.811 of the Commission's rules; and

It further appearing that all of the parties to the proceeding have consented to a grant of the above petition and to a waiver of \$1,745 of the Commission's rules in order to permit early consideration thereof;

It is ordered, This 29th day of October 1954, that the said petition be, and it is hereby, granted, and that the hearing in the above-entitled proceeding is hereby continued until 10:00 a. m., Friday, December 10, 1954.

FEDERAL COMMUNICATIONS
COMMISSION,

[SEAL] MARY JANE MORRIS,
Secretary.

[F. R. Doc. 54-8692; Filed, Nov. 3, 1954;
8:52 a. m.]

[Docket No. 11150; FCC 54M-1361]

T. L. BISHOP AND V. J. SCOGIN

ORDER CONTINUING HEARING

In the matter of T. L. Bishop and V. J. Scogin, Aransas Pass, Texas, Order to Show Cause Why the License for Radio-telephone Station WB-2311 should not be revoked; Docket No. 11150.

The Commission having designated the above-entitled matter for a hearing to be held at its offices in Washington, D. C., at 10:00 o'clock a. m., on Monday, November 1, 1954; and

It appearing, that on October 20, 1954, a motion was filed on behalf of the Safety and Special Radio Services Bureau of this Commission, requesting that the hearing in the said proceeding be dismissed; and

It further appearing that no action is expected to be taken on the said Motion to Dismiss on or before November 1, 1954;

It is ordered, by the Commission on its own motion, this 29th day of October 1954, that the said hearing be, and it is hereby, continued without date.

FEDERAL COMMUNICATIONS
COMMISSION,

[SEAL] MARY JANE MORRIS,
Secretary.

[F. R. Doc. 54-8693; Filed, Nov. 3, 1954;
8:52 a. m.]

FEDERAL POWER COMMISSION

[Docket No. E-6585]

SOUTH CAROLINA GENERATING CO.

ORDER INITIATING PROCEEDING

South Carolina Generating Company (Generating Company), incorporated under the laws of the State of South Carolina, with its principal place of business at Columbia, South Carolina, by letter dated July 24, 1953, tendered for filing as its FPC Rate Schedule an agreement dated November 9, 1951,¹ providing for the supply of a portion of the energy requirements of the Georgia Power Company (Georgia Company), at up to a maximum demand of 75,000 kw. Gen-

erating Company, a wholly-owned subsidiary of South Carolina Electric and Gas Company (South Carolina Company) included as a part of that filing a copy of another contract dated November 9, 1951,² pursuant to which Generating Company agreed to supply a portion of the energy requirements of its parent at up to a maximum demand of 75,000 kw.

In both instances the energy supplied is to be generated at Generating Company's Urquhart steam electric generating station located near Beech Island, South Carolina, with delivery to South Carolina Company at 115 kv at Generating Company's Urquhart substation and delivery to Georgia Company a short distance away at the point of interconnection of the 115-kv transmission facilities of the Generating Company and those of Georgia Company at the Georgia-South Carolina State line. From the aforementioned filing and other information submitted to the Commission by the three companies it appears that all of the energy delivered to Georgia Company is thereafter resold and consumed at points outside of the State of South Carolina; and it further appears that all of that delivered to South Carolina Company is thereafter resold and consumed at points within the State of South Carolina.

Under the foregoing agreements which are to terminate in 1979 each purchaser is entitled to a maximum of one-half of the output of each of two 75,000-kw generating units presently installed at the Urquhart station;³ subject, however, after both units are in service, to the right of Generating Company on twelve months' notice to reduce Georgia Company's entitlement by 25,000-kw and South Carolina Company's by 30,000-kw. In the event of an outage of one of these units Georgia Company would be entitled to one-half of the output of the remaining unit and to no service upon the outage of both. After the plant is in service, Generating Company may cancel its obligation to Georgia Company upon thirty months' notice.

Billing under both agreements is in accordance with a two-part capacity and energy type rate. The basic capacity charge to each amounts to \$15.30 per kw per year, subject to adjustment to reflect any difference in amounts of estimated investment and fixed operating costs of the Urquhart station as set forth in the agreements from those actually experienced.⁴ But in the case of the sale to the Georgia Company this basic charge is increased by the addition of a component of \$7.20 per kw, or \$540,000 annually. That additional amount is said to have been agreed to as representing 50 percent of the savings accruing to Georgia Company by reason of its purchase of energy from Generating Company in lieu of constructing an

equivalent amount of capacity on its own system.

The energy charge to both customers is designed to cover certain stated operating expenses connected with the Urquhart station estimated to amount to 3.49 mills per kwh.

According to the agreements the basic capacity charge, which as currently adjusted amounts to \$18 per kw per year, covers interest on and amortization of the principal of 90 percent of Generating Company's investment (including working capital) in the Urquhart station over a period of 25 years;⁵ return on the remaining 10 percent equity at 8 percent; and an amount for insurance, Federal, State and local taxes, administrative and general expense and operating supervision and labor costs. The energy charge, currently estimated at 3.49 mills per kwh, covers fuel and maintenance expenditures incurred in the operation of the Urquhart station together with any generation taxes imposed upon the Generating Company.

Upon being informed that the staff was undertaking an analysis of its rates, Generating Company several times requested and held informal conferences with members of the Commission's staff, in the course of which its representatives submitted two computations of the company's cost of serving Georgia Company during the 12-month period ending October 31, 1953. Inasmuch as no service was rendered to Georgia Company prior to November 1953, the studies extensively employed estimates. One of these based the determination of the cost of serving Georgia Company upon the integrated system costs of Generating Company and South Carolina Company but without any allowance for the difference between the limited service rendered from the two units of the Urquhart plant and firm power service from South Carolina Company's integrated system. The other reflects Generating Company's service costs based on a hypothetical "orthodox capitalization plan" for the Generating Company instead of the actual 90 percent and 25-year amortization plan.

In the submission of both studies Generating Company's representatives alleged without supporting data that the \$540,000 extra annual charge to the Georgia Company is justified, chiefly because of (1) additional obligations and risks voluntarily incurred by South Carolina Company in underwriting the entire investment of Generating Company; (2) anticipated higher financing costs South Carolina Company will incur in the future due to a reduction of the equity ratio shown on its consolidated balance sheet as a result of Generating Company's high debt ratio; (3) services rendered by South Carolina Company in

¹ Generating Company's plant investment associated with the aforementioned two generating units approximates \$27,000,000 which was financed per one million dollars of capitalization as follows:

\$750,000, 25 year 3½ percent bonds.
\$150,000, 10 year 4 percent debenture notes.
\$100,000, equity at 8 percent.

² The capitalization assumed by Generating Company contemplated a debt ratio of 50 percent at a rate of interest of 3½ percent.

³ Accepted for filing effective October 1, 1953, and designated as Generating Company's Rate Schedule FPC No. 1.

⁴ Identified as Exhibit A to Generating Company's Rate Schedule FPC No. 1.

⁵ The first unit was placed in service in November 1953, and the second unit in January 1954.

⁶ As currently adjusted the basic capacity charge amounts to \$18.00 per kw per year.

the planning, financing and construction of the Urquhart station for which no charges were made, and selection of the location of the plant mainly for reasons favoring the Georgia Company; (4) the failure of the Public Service Commissions of Georgia and South Carolina and the Georgia Company to voice any objections to the agreements at the time of their execution; and (5) the possibility that the cost of any additional capacity installed in the Urquhart station in the future to serve South Carolina Company may exceed that of presently installed capacity and result in higher charges to ultimate consumers in South Carolina.

On June 18, 1954, the Public Service Commission of Georgia filed a letter with this Commission stating in part as follows:

It is the view of this Commission that there appears to be undue discrimination in the Generating Company's rates in favor of its parent and it is also our view that it would be in the public interest to make further inquiry in the matter of discrimination to determine whether or not some revision in the rates should be made. We would like to state further that in the event there should result any downward modification in the demand rate charged Georgia Power Company, it will be our purpose to see that such reduction in power cost is passed on to the consumers of Georgia Power Company.

In view of the foregoing the Commission finds it necessary and appropriate in carrying out the provisions of the Federal Power Act to order as herein-after provided.

The Commission orders:

(A) Generating Company shall make a showing of the facts necessary to enable the Commission to find and determine whether:

(1) Generating Company, by virtue of its ownership and operation of the facilities to effectuate the above-described sale of electric energy to Georgia Company, owns and operates facilities subject to the jurisdiction of the Commission.

(2) The sale to Georgia Company is a sale at wholesale in interstate commerce, subject to the provisions of Sections 205 and 206 of the Federal Power Act and the rules and regulations thereunder.

(3) The rates and charges for the service to Georgia Company as set forth in Generating Company's Rate Schedule FPC No. 1 are unduly discriminatory within the meaning of section 205 of the Federal Power Act and unlawful; and whether the Commission should order that Generating Company file a new rate for that service eliminating all substantial differences between the charges and related provisions of the schedule of rates to Georgia Company and those of the rate schedule in effect for the service to Generating Company's parent-customer South Carolina Company.

(4) The charges to Georgia Company provided for by such rate schedule are unjust and unreasonable; and if so what rate the Commission should order Generating Company to file.

(B) Without in any way precluding or limiting Generating Company from making any showing it wishes to make of facts relevant and material to the questions posed by this order, and without prejudice to any position Generating

Company may wish to take as to the significance or lack of significance of the facts hereinafter specified, and also without this Commission at this time deciding that question but reserving full freedom to decide all the questions on the full record in the light of all arguments that may be adduced before it, Generating Company shall show its cost of rendering the service to Georgia Company, calculated in accordance with applicable Commission precedents and using, among other things, (i) a prudent investment rate base with the deduction for accrued depreciation computed on the basis of straight line depreciation; (ii) a fair rate of return; (iii) taxes actually to be paid over the life of the contract. This showing shall be made for the first two units in commercial operation: (1) for the calendar year 1954 using actual experience insofar as data are available for the period the two units shall have been in commercial operation and estimates based upon actual experience for the remainder of that year; (2) for every fifth year thereafter for 25 years, by use of the same figures with adjustments to reflect changes in net investment, return, and federal and state income taxes, and other changes which are known and measurable with reasonable accuracy.

(C) Subject to the same conditions and reservations as set forth in (B) above, Generating Company shall show its revenues from Georgia Power for the same years based upon the same operations under its Rate Schedule FPC 1.

(D) The foregoing showing shall be submitted in writing under oath within 60 days of the issuance of this order, with sufficient copies to provide 5 for the Commission, 2 for each of the State Commissions of Georgia and South Carolina, and 1 each for any others who may have been admitted as interveners.

(E) A public hearing on the foregoing issues be held at a time and place to be fixed hereafter.

(F) Interested State commissions may participate in this proceeding as provided in §§ 1.8 and 1.37 (f) (18 CFR 1.8 and 1.37 (f) of the Commission's general rules and regulations.

Adopted: October 27, 1954.

Issued: October 29, 1954.

By the Commission.¹

[SEAL] LEON M. FUQUAY,
Secretary.

[P. R. Doc. 54-8680; Filed, Nov. 3, 1954;
8:40 a. m.]

[Docket No. G-2450, G-2451]

CENTRAL KENTUCKY NATURAL GAS CO., AND
UNITED FUEL GAS CO.

ORDER PERMITTING CHANGES IN SUSPENDED
TARIFFS, MAKING EFFECTIVE CHANGED
TARIFFS UPON FILING OF UNDERTAKINGS
TO ASSURE REFUNDS OF EXCESS CHARGES,
CONSOLIDATING PROCEEDINGS FOR HEARING,
FIXING DATE OF HEARING, AND SPECIFYING
PROCEDURE

By order issued June 4, 1954, in Docket
No. G-2451, the Commission, pursuant to

¹ Commissioner Digby dissenting.

authority contained in Sections 4 and 15 of the Natural Gas Act, ordered that a hearing be held concerning the lawfulness of the rates, charges, classifications, and services, or any of them, contained in the FPC Gas Tariff, Fourth Revised Volume No. 1, filed on May 12, 1954, by United Fuel Gas Company (United), setting forth therein proposed increased rates and charges, subject to the Commission's jurisdiction under that Act, for sales by United in interstate commerce of natural gas for resale for ultimate public consumption.¹ The said tariff proposed, based upon estimated sales during 1955, an annual increase of approximately \$17,542,000, or 19.4 percent, above the rates made effective March 1, 1954, pursuant to the Commission's order issued May 13, 1954, in the Matter of United Fuel Gas Company, Docket No. G-2274. The Commission's June 4, 1954 order also provided that, pending the hearing and decision thereon, United's FPC Gas Tariff, Fourth Revised Volume No. 1, be suspended and the use thereof deferred until November 1, 1954, and until such further time thereafter as it might be made effective in the manner prescribed by the Natural Gas Act, unless otherwise ordered by the Commission.

By order issued June 4, 1954, in Docket No. G-2450, the Commission, pursuant to authority contained in sections 4 and 15 of the Natural Gas Act, ordered that a hearing be held concerning the lawfulness of the rates, charges, classifications, and services, or any of them, contained in the FPC Gas Tariff, Fourth Revised Volume No. 1, filed on May 14, 1954, by Central Kentucky Natural Gas Company (Central), setting forth therein proposed increased rates and charges, subject to the Commission's jurisdiction under that Act, for sales by Central in interstate commerce of natural gas for resale for ultimate public consumption.² The said tariff proposed, based upon estimated sales during 1955, an annual increase of approximately \$2,696,000 or 12.2 percent, above the rates and charges made effective March 1, 1954, pursuant to the Commission's orders issued July 1 and August 6, 1954, in the Matter of Central Kentucky Natural Gas Company, Docket No. G-2276. The Commission's June 4, 1954 order also provided that, pending the hearing and decision thereon, Central's FPC Gas Tariff, Fourth Revised Volume No. 1, be suspended and the use thereof deferred

¹ United's interstate wholesale customers are: The Portsmouth Gas Company (Portsmouth Gas), a non-affiliate; and Atlantic Seaboard Corporation (Seaboard), Central Kentucky Natural Gas Company (Central), The Manufacturers Light and Heat Company (Manufacturers), and The Ohio Fuel Gas Company (Ohio Fuel), all of which, together with United, are subsidiaries of The Columbia Gas System, Inc. (Columbia).

² Central's interstate wholesale customers are: The Cincinnati Gas and Electric Co. (Cincinnati Gas); Cities of Carlisle and North Middletown, Kentucky; Delta Natural Gas Company (Delta); Frankfort Kentucky Natural Gas Company (Frankfort Gas); Limestone Gas Company (Limestone Gas); Richmond Water and Gas Works (Richmond Gas); The Union Light, Heat and Power Company (Union Light); and Kentucky Creosoting Company (Kentucky Co.).

until November 1, 1954, and until such further time thereafter as it might be made effective in the manner prescribed by the Natural Gas Act, unless otherwise ordered by the Commission.

Section 4 (c) of the Natural Gas Act provides that whenever any new rate schedule is filed, the Commission shall have authority to enter upon a hearing concerning the lawfulness of the same; and that pending such hearing and the decision thereon, the Commission may suspend the operation of the new rate schedule, "but not for a longer period than five months beyond the time when it would otherwise go into effect." Said section further provides:

If the proceeding has not been concluded and an order made at the expiration of the suspension period, on motion of the natural-gas company making the filing, the proposed change of rate, charge, classification, or service shall go into effect. Where increased rates or charges are thus made effective, the Commission may, by order, require the natural-gas company to furnish bond, to be approved by the Commission, to refund any amounts ordered by the Commission, to keep accurate accounts in detail of all amounts received by reason of such increase, specifying by whom and in whose behalf such amounts were paid, and, upon completion of the hearing and decision, to order such natural-gas company to refund, with interest, the portion of such increased rates or charges by its decision found not justified.

These proceedings, instituted for the purpose of determining the lawfulness of the rates and charges contained in the proposed revised tariffs, have not been concluded or decisions rendered therein by the Commission.

On October 1, 1954, United filed an application requesting special permission under § 154.66 (b) of the Commission's general rules and regulations (18 CFR 154.66 (b)) to substitute First Revised Sheets Nos. 12, 13, 16, and 17 for Original Sheets Nos. 12, 13, 16, and 17 to its FPC Gas Tariff, Fourth Revised Volume No. 1, under suspension, together with a motion that the rates and charges contained in such tariff volume, as proposed to be amended by the substitute sheets, be permitted to become effective November 1, 1954.

United represents that the substitute tariff sheets, now proposed and referred to above, embody rates designed to decrease by approximately \$4,519,000 annually the revenues that would be produced by the Docket No. G-2451 suspended rates, based upon United's estimated sales for the calendar year 1953.² United states that the substitute sheets were filed because of the reduction in cost of gas purchased from Tennessee Gas Transmission Company, resulting from the withdrawal by that Company of its rate-increase proposal (contained in that Company's FPC Gas Tariff, Seventh Revised Volume No. 1), pursuant to

to the Commission's order issued September 10, 1954, in the Matter of Tennessee Gas Transmission Company, Docket No. G-2434. In the event permission is not granted to substitute the revised tariff sheets filed October 1, 1954, United, in its motion, requests that its FPC Gas Tariff, Fourth Revised Volume No. 1, as originally filed on May 12, 1954, be permitted to go into effect November 1, 1954.

On October 1, 1954, Central filed an application requesting special permission under § 154.66 (b) of the Commission's general rules and regulations to substitute First Revised Sheets Nos. 7, 8, 15, and 16 to its FPC Gas Tariff, Fourth Revised Volume No. 1, under suspension, together with a motion that the rates and charges contained in such tariff volume, as proposed to be amended by the substitute sheets, be permitted to go into effect November 1, 1954.

Central represents that the substitute tariff sheets, now proposed and referred to above, embody rates designed to decrease by approximately \$985,000 annually the revenues that would be produced by the Docket No. G-2450 suspended rates, based upon Central's estimated sales for the calendar year 1953.³ Central states that the substitute sheets were filed because of the reduction in cost of gas purchased from United from and after November 1, 1954, based upon the revised tariff sheets filed by United in Docket No. G-2451, all as hereinbefore described. In the event permission is not granted to substitute such revised tariff sheets, Central, in its motion, requests that its FPC Gas Tariff, Fourth Revised Volume No. 1, as originally filed on May 14, 1954, be permitted to go into effect November 1, 1954.

Section 154.66 (b) of the Commission's general rules and regulations provides:

A natural-gas company may not, within the period of suspension, file any change in a tariff, executed service agreement or part thereof which has been suspended by order of the Commission except by special permission of the Commission granted upon application therefor and for good cause shown.

Good cause has been shown for permitting substitution of the revised tariff sheets as filed October 1, 1954, inasmuch as such sheets embody rates materially lower than the rates proposed in the revised tariffs as originally filed by Central and United.

On October 1, 4, and 5, 1954, in Docket Nos. G-2450 and G-2451, telegrams and letters were received from four wholesale customers of Columbia Gas System, Inc., which " * * * urgently request immediate hearing on the contract demand issue to permit interim determination before the suspension period ex-

pires," that is, before November 1, 1954.⁴ The "contract demand issue" alluded to in these requests refers to the change in demand determinants from actual delivery to contract demand proposed by Central and United in their tariff volumes under suspension in these proceedings. Central and United propose such changes notwithstanding the Commission's decisions as reflected in Commission Opinion Nos. 258 and 258-A involving United in Docket No. G-2055, and subsequent rate settlements involving United in Docket No. G-2274 and Central in Docket Nos. G-2056 and G-2276, wherein the Commission approved the use of actual deliveries rather than contract demands for determination of billing demand quantities.

In Docket No. G-2055, Opinion Nos. 258 and 258-A, respectively, issued August 7, 1953 and November 19, 1953, the Commission decided that United's contract demand tariff was not proper for its wholesale sales and prescribed rate schedules therefor, which provided for billing on an actual delivery basis. The subsequent settlement in Docket No. G-2055, as approved by the Commission's order issued February 5, 1954, and the later settlement in Docket No. G-2274, as approved by the Commission's order issued May 13, 1954, contained the form of rate schedules prescribed by the Commission in its Opinion Nos. 258 and 258-A in Docket No. G-2055. The rate settlements involving Central, as approved by the Commission's order issued March 26, 1954, in Docket No. G-2056, and the subsequent settlement as approved by the Commission's order issued July 1, 1954 in Docket No. G-2276, also provided for billing on an actual delivery basis in lieu of contract demand billing proposed by Central.

In the circumstances, particularly in view of the urgent requests for immediate hearings concerning the form of rates, it is deemed appropriate that the above-entitled proceedings be consolidated for early hearing. Prompt resolution of the issue respecting the form of rates for Central and United would seem desirable, not only for the customers but also because of the possible impact of rate form upon the relative revenues from each wholesale customer, particularly United's wholesale customers, since United's proposal in Docket No. G-2451 includes the contract demand for its wholesale sales to Portsmouth Gas, Seaboard, and Central, but does not include it for such sales to Manufacturers and Ohio Fuel.

Upon consideration of the foregoing, the rate increase and other tariff proposals involved herein, including the

² The revised tariff sheets submitted on October 1, 1954, in addition to reducing the applied-for rates in Docket No. G-2451, increase from 500 to 2,000 Mcf per day the boiler fuel limitation to conform to the change in United's currently effective tariff, which was authorized by the Commission's order issued August 6, 1954, in Docket Nos. G-2274 and G-2451.

³ The revised tariff sheets submitted on October 1, 1954, in addition to reducing the applied-for rates in Docket No. G-2450, increase from 500 to 2,000 Mcf per day the boiler fuel limitation to conform to the change in Central's currently effective tariff, which was authorized by the Commission's order issued August 6, 1954, in Docket Nos. G-2276 and G-2450.

⁴ The requests were made by Portsmouth Gas, the only non-affiliated wholesale customer of United; by Cincinnati Gas and its subsidiary, Union Light, the two largest wholesale customers of Central; and by The Dayton Power and Light Company, which purchases substantially all of its requirements from Ohio Fuel, a Columbia subsidiary. The City of Cincinnati, Ohio, by telegram of October 11, 1954, supports the position of Cincinnati Gas.

October 1, 1954, submittals by Central and United, and the recent requests for immediate hearings as aforementioned, the Commission finds: It is appropriate, reasonable, and in the public interest in carrying out the provisions of the Natural Gas Act, and good cause exists, to permit the substitution of the revised tariff sheets filed herein on October 1, 1954, by Central and United, to prescribe the terms and conditions with respect to refunds by Central and United, to consolidate the proceedings in Docket Nos. G-2450 and G-2451, and to hold public hearings in the consolidated proceedings, all as hereinafter provided and ordered.

The Commission orders:

(A) First Revised Sheets Nos. 12, 13, 16, and 17, filed October 1, 1954, be and the same are hereby substituted for the appropriate sheets in United's FPC Gas Tariff, Fourth Revised Volume No. 1, suspended by the Commission's order issued June 4, 1954, in Docket No. G-2451; and First Revised Sheets Nos. 7, 8, 15, and 16, filed October 1, 1954, be and the same are hereby substituted for the appropriate sheets in Central's FPC Gas Tariff, Fourth Revised Volume No. 1, suspended by the Commission's order issued June 4, 1954, in Docket No. G-2450.

(B) Upon the execution by Central and United, respectively, of the agreement and undertaking described in paragraph (D) below, and the acceptance thereof, evidenced by letters addressed to Central and United, respectively, by the Secretary of the Commission, the rates, charges, and classifications set forth in the aforesaid FPC Gas Tariff, Fourth Revised Volume No. 1, of Central and United, respectively, shall be effective as of November 1, 1954, subject to further orders of the Commission in these proceedings.

(C) Central and United, respectively, shall refund to those entitled thereto the portion of the increased rates found by the Commission in these proceedings not justified, with interest at the rate of 6 per cent per annum from the date of payment respectively to Central and United until refunded; shall bear all costs of any such refunding; shall keep accurate accounts in detail of all amounts received by reason of the increased rates or charges effective as of November 1, 1954, for each billing period, specifying by whom and in whose behalf such amounts were paid; and shall report (original and 4 copies), in writing and under oath, to the Commission monthly for each billing period and for each purchaser the billing determinants of natural gas sales to such purchasers and the revenues resulting therefrom, as computed under the rates in effect immediately prior to November 1, 1954, and under the rates allowed by this order to become effective, together with the difference in the revenues so computed.

(D) As a condition of this order, within 15 days from the date of issuance thereof, Central and United, respectively, shall execute and file with the Secretary of this Commission their respective agreements and undertakings to comply with the terms and conditions of paragraph

(C) above, each agreement and undertaking to be signed by a responsible officer of the respective corporation, evidenced by proper authority from the respective Board of Directors, as follows:

In conformity with the requirements of the order adopted October —, 1954, in Docket Nos. G-2450 and G-2451, _____ Company hereby agrees and undertakes to comply with the terms and conditions of paragraph (C) of said order and has caused this agreement and undertaking to be executed and sealed in its name by its officers, thereupon duly authorized in accordance with the terms of the resolution of its Board of Directors, a certified copy of which is appended hereto, this _____ day of _____, 1954.

By _____ Company
President

Attest:

Secretary

(E) If Central and United, respectively, shall, in conformity with the terms and conditions of paragraph (C), above, make the refunds as may be required by order of the Commission, the respective undertaking shall be discharged; otherwise it shall remain in full force and effect.

(F) The proceedings in Docket Nos. G-2450 and G-2451 be and the same are hereby consolidated for purposes of hearing.

(G) Pursuant to authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 4, 15, and 16 of the Natural Gas Act and the Commission's general rules and regulations, including rules of practice and procedure (18 CFR Chapter I), a public hearing be held, commencing on November 16, 1954, at 10:00 a. m., e. s. t., in a Hearing Room of the Federal Power Commission, 441 G Street NW., Washington, D. C., concerning the matters involved in and the issues presented by the above-entitled proceedings.

(H) At the hearing, United and Central shall go forward first and shall present in the respective dockets their complete cases-in-chief with respect to their proposed changes in the form of rates. Upon completion thereof, other parties to the proceedings, including Commission Staff Counsel, may proceed with such cross-examination as they are prepared to conduct.

(I) Following the presentation of United's and Central's cases and cross-examination, as provided in paragraph (H), other parties shall present their testimony and evidence with respect to proposed tariff changes other than rate level.

(J) Upon completion of the proceedings as provided in paragraphs (H) and (I), upon request of any party to the proceedings, including Commission Staff Counsel, the hearing shall be recessed by the Presiding Examiner, subject to further order of the Commission.

(K) In the interest of expedition, United and Central shall, not later than 5 days next preceding the date hereinbefore fixed for the commencement of the hearings herein, serve upon all parties to this proceeding, copies of the

testimony and exhibits they propose to offer at the hearing, including five (5) copies thereof upon Commission Staff Counsel.

(L) Interested State commissions may participate as provided by §§ 1.8 and 1.37 (f) of the Commission's rules of practice and procedure (18 CFR 1.8 and 1.37 (f)).

Adopted: October 27, 1954.

Issued: October 29, 1954.

By the Commission.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 54-8681; Filed, Nov. 3, 1954;
8:50 a. m.]

[Docket No. G-2552]

PAISANO TRADING CO., LTD.

**NOTICE OF APPLICATION AND ORDER FIXING
DATE OF HEARING**

Take notice that William Negley, doing business as Paisano Trading Company, Ltd. (Applicant), an individual enterprise and independent producer with its principal place of business in San Antonio, Texas, filed, on August 18, 1954, an application for a certificate of public convenience and necessity pursuant to section 7 (c) of the Natural Gas Act, authorizing the acts or operations hereinafter described.

Applicant produces natural gas from acreage located in the Paisano and Captain Lucy Fields in Jim Wells County, Texas, and sells such gas to Trunkline Gas Company under 20-year contracts dated May 28, 1952, and June 17, 1952, at the current price of .063 cents per Mcf. Applicant states that the combined minimum daily contract volume is 1,300 Mcf.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington, D. C., in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) on or before the 16th day of November 1954. The application is on file with the Commission for public inspection.

This matter is one that should be disposed of as promptly as possible under the applicable rules and regulations.

The Commission finds: It is proper and consistent with the public interest that notice of application and order fixing date of hearing be published simultaneously.

The Commission orders: Pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act, and the Commission's rules of practice and procedure, a hearing be held on November 18, 1954, at 9:30 a. m., e. s. t., in a hearing room of the Federal Power Commission, 441 G Street NW., Washington, D. C., concerning the matters involved and the issues presented by such application: *Provided, however*, That the Commission may, after a noncontested hearing, dispose of the proceeding pursuant to the provisions of § 1.30 (c) (2)

of the Commission's rules of practice and procedure.

Adopted: October 27, 1954.

Issued: October 29, 1954.

By the Commission.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 54-8682; Filed, Nov. 3, 1954;
8:50 a. m.]

[Docket No. G-2779]

R. L. LOWE

NOTICE OF APPLICATION AND ORDER FIXING
DATE OF HEARING

Take notice that R. L. Lowe (Applicant), an individual, whose address is 1013 Lubbock National Building, Lubbock, Texas, filed an application on September 15, 1954, for a certificate of public convenience and necessity, pursuant to section 7 of the Natural Gas Act, authorizing Applicant to make sales of natural gas as hereinafter described, subject to the jurisdiction of the Commission, all as more fully represented in his application filed herein.

Applicant produces natural gas in the Denton Field, Lea County, New Mexico, which he sells to El Paso Natural Gas Company and to Service Pipe Line Company for resale in interstate commerce.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington, D. C., in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) on or before the 24th day of November 1954. The application is on file with the Commission for public inspection.

This matter is one that should be disposed of as promptly as possible under the applicable rules and regulations. Failure of any party to appear at and participate in the hearing shall be construed as waiver of and concurrence in omission herein of the intermediate decision procedure.

The Commission finds: It is proper and consistent with the public interest that notice of the application and order fixing

date of hearing be published simultaneously.

The Commission orders: Pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act, and the Commission's rules of practice and procedure, a hearing be held on December 2, 1954, at 9:30 a. m., e. s. t., in a Hearing Room of the Federal Power Commission, 441 G Street NW., Washington, D. C., concerning the matters involved in and the issues presented by such application: *Provided, however*, That the Commission may, after a noncontested hearing, dispose of the proceedings pursuant to the provisions of § 1.30 (c) (1) or (2) of the Commission's rules of practice and procedure.

Adopted: October 27, 1954.

Issued: October 29, 1954.

By the Commission.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 54-8683; Filed, Nov. 3, 1954;
8:50 a. m.]

[Docket Nos. G-2785, G-2814, G-2844, G-2845,
G-2869, G-2870]

MERCURY GAS CO. ET AL.

NOTICE OF APPLICATIONS AND ORDER CONSOLIDATING PROCEEDINGS AND FIXING DATE OF HEARING

In the matters of Mercury Gas Company, Docket No. G-2785; Back Gas Company, Docket No. G-2814; Campbell Gas Company, Docket No. G-2844; Perryville Well, Docket No. G-2845; North Eight Producing Company, Docket No. G-2869; North Eight Producing Company, Docket No. G-2870.

Take notice that there have been filed with the Federal Power Commission applications as hereinafter specified, each for a certificate of public convenience and necessity, pursuant to section 7 of the Natural Gas Act, authorizing the sales to United Fuel Gas Company (United Fuel) of natural gas produced in the indicated fields:

Docket No.	Applicant	Address	Date filed	Location of field
G-2785	Mercury Gas Co., a partnership.	Wayne County, W. Va.	Sept. 16, 1954	C. W. Osburn lease, Stonewall District, Wayne County, W. Va.
G-2814	Back Gas Co., a partnership.	Rensford, W. Va.	Sept. 17, 1954	Pinson-Layton Field, Rensford, W. Va.
G-2844	Ira W. Belcher and Robert H. Brown d. b. a. Campbell Gas Co., a partnership.	Kanawha County, W. Va.	Sept. 20, 1954	Lowenstein Field, Kanawha County, W. Va.
G-2845	Perryville Well, a partnership.	Cincio, W. Va.	do.....	Perryville Coal & Mining Co., Field, Cincio, W. Va.
G-2869	North Eight Producing Co., a corporation.	Blount, W. Va.	do.....	W. H. and L. E. and L. R. Belcher, Blount, W. Va.
G-2870	do.....	do.....	do.....	Do.

All Applicants have requested that their applications be heard under the shortened procedure provided by § 1.32 (b) (18 CFR 1.32 (b)) of the Commission's rules of practice and procedure. The applications are on file with the Commission for public inspection.

The Commission finds:

(1) It is appropriate in the public interest in carrying out the provisions of

the Natural Gas Act, and good cause exists, that due notice of the applications herein, including publication in the FEDERAL REGISTER, be given as hereinafter ordered.

(2) It is reasonable and appropriate in the public interest in carrying out the provisions of the Natural Gas Act, and good cause exists, to consolidate the proceedings in the above-designated Dockets

for purpose of hearing, and to hold a public hearing in the above-entitled proceedings as hereinafter ordered.

(3) This proceeding is a proper one for disposition under the provisions of § 1.32 (b) of the Commission's rules of practice and procedure (18 CFR 1.32 (b)). Applicants having requested that their application be heard under the shortened procedure provided for by the aforesaid rule for noncontested proceedings: *Provided, however*, That no request to be heard, protest or petition is filed raising an issue of substance.

The Commission orders:

(A) Due notice of these applications be given, including publication in the FEDERAL REGISTER, of this notice of applications and order.

(B) The aforesaid proceedings in the above designated Dockets and the same hereby are consolidated for purposes of hearing.

(C) Pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act, and the Commission's rules of practice and procedure, a hearing be held on November 23, 1954, at 9:40 a. m., e. s. t., in a Hearing Room of the Federal Power Commission, 441 G Street NW., Washington, D. C., concerning the matters involved in and the issues presented by the applications: *Provided, however*, That the Commission may, after a noncontested hearing, forthwith dispose of the proceedings pursuant to the provisions of § 1.32 (b) of the Commission's rules of practice and procedure.

(D) Protests or petitions to intervene may be filed with the Commission in accordance with its rules of practice and procedure, §§ 1.8 and 1.10 (18 CFR 1.8 and 1.10), on or before November 17, 1954.

(E) Interested State commissions may participate as provided by §§ 1.8 and 1.37 (f) of the Commission's rules of practice and procedure (18 CFR 1.8 and 1.37 (f)).

Adopted: October 27, 1954.

Issued: October 28, 1954.

By the Commission.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 54-8672; Filed, Nov. 3, 1954;
8:48 a. m.]

[Docket No. G-2790]

STANOLIND OIL AND GAS CO.

NOTICE OF APPLICATION AND ORDER FIXING
DATE OF HEARING

Take notice that Stanolind Oil and Gas Company (Applicant), a Delaware corporation with its principal office in Tulsa, Oklahoma, filed on September 16, 1954, an application for a certificate of public convenience and necessity, pursuant to section 7 of the Natural Gas Act, authorizing Applicant to make sales of natural gas as hereinafter described, subject to the jurisdiction of the Commission, all as more fully represented in its application filed herein.

Applicant produces natural gas in the Greta Field of Refugio County, Texas, which it sells to Transcontinental Gas Pipe Line Corporation for resale in interstate commerce.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington, D. C., in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) on or before the 19th day of November 1954. The application is on file with the Commission for public inspection.

This matter is one that should be disposed of as promptly as possible under the applicable rules and regulations. Failure of any party to appear at and participate in the hearing shall be construed as waiver of and concurrence in omission herein of the intermediate decision procedure.

The Commission finds: It is proper and consistent with the public interest that notice of the application and order fixing date of hearing be published simultaneously.

The Commission orders: Pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act, and the Commission's rules of practice and procedure, a hearing be held on November 24, 1954, at 9:30 a. m., e. s. t., in a Hearing Room of the Federal Power Commission, 441 G Street NW., Washington, D. C., concerning the matters involved and the issues presented by such application: *Provided, however,* That the Commission may, after a noncontested hearing, dispose of the proceedings pursuant to the provisions of § 1.30 (c) (1) or (2) of the Commission's rules of practice and procedure.

Adopted: October 27, 1954.

Issued: October 28, 1954.

By the Commission.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 54-8673; Filed, Nov. 3, 1954;
8:48 a. m.]

[Docket No. G-2796]

BEL OIL CORP.

NOTICE OF APPLICATION AND ORDER FIXING
DATE OF HEARING

Take notice that Bel Oil Corporation (Applicant), a Louisiana corporation with its principal office in Lake Charles, Louisiana, filed on September 16, 1954, application for a certificate of public convenience and necessity, pursuant to section 7 of the Natural Gas Act, authorizing Applicant to make sales of natural gas as hereinafter described, subject to the jurisdiction of the Commission, all as more fully represented in its application filed herein.

Applicant produces natural gas in the North Elton Field, Allen Parish, Louisiana, which it sells to Louisiana Natural Gas Corporation, United Gas Pipe Line Company, and Transcontinental Gas Pipe Line Corporation, for resale in interstate commerce.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington, D. C., in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) on or before the 15th day of November 1954. The application is on file with the Commission for public inspection.

This matter is one that should be disposed of as promptly as possible under the applicable rules and regulations. Failure of any party to appear at and participate in the hearing shall be construed as waiver of and concurrence in omission herein of the intermediate decision procedure.

The Commission finds: It is proper and consistent with the public interest that notice of the application and order fixing date of hearing be published simultaneously.

The Commission orders: Pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act, and the Commission's rules of practice and procedure, a hearing be held on November 18, 1954, at 9:40 a. m., e. s. t., in a Hearing Room of the Federal Power Commission, 441 G Street NW., Washington, D. C., concerning the matters involved and the issues presented by such application: *Provided, however,* That the Commission may, after a noncontested hearing, dispose of the proceedings pursuant to the provisions of § 1.30 (c) (1) or (2) of the Commission's rules of practice and procedure.

Adopted: October 27, 1954.

Issued: October 28, 1954.

By the Commission.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 54-8674; Filed, Nov. 3, 1954;
8:48 a. m.]

[Docket Nos. G-2826, G-2827, G-2828, G-2829,
G-2832]

TEXAS GULF PRODUCING CO.

NOTICE OF APPLICATIONS AND ORDER CONSOLIDATING AND FIXING DATE OF HEARING

Take notice that Texas Gulf Producing Company (Applicant), a Delaware corporation with its principal office in Houston, Texas, filed on September 20, 1954, applications for certificates of public convenience and necessity, pursuant to section 7 of the Natural Gas Act, authorizing Applicant to make sales of natural gas as hereinafter described, subject to the jurisdiction of the Commission, all as more fully represented in its applications filed herein.

Applicant produces natural gas in the Coquat Field in Live Oak County, Northwest Shamrock Field of Wheeler County, North McFaddin Field of Victoria County, and the Englehart Field of Colorado County, all in the State of Texas. In addition, Applicant also produces natural gas in the Monument Field of Lea County, New Mexico. Applicant sells all such gas to Transcontinental Gas Pipe Line Corporation, Lone Star Gas Company,

United Gas Pipe Line Company, Shell Oil Company, and the Permian Basin Pipeline Company for resale in interstate commerce.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington, D. C., in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) on or before the 24th day of November 1954. The applications are on file with the Commission for public inspection.

This matter is one that should be disposed of as promptly as possible under the applicable rules and regulations. Failure of any party to appear at and participate in the hearing shall be construed as waiver of and concurrence in omission herein of the intermediate decision procedure.

The Commission finds: It is appropriate and in the public interest to (a) consolidate the above-entitled proceedings for the purpose of hearing, and (b) publish notice of the applications and order consolidating and fixing date of hearing simultaneously.

The Commission orders: Pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act, and the Commission's rules of practice and procedure, Docket Nos. G-2826, G-2827, G-2828, G-2829, and G-2832 be and the same are hereby consolidated for the purpose of hearing and that a hearing be held on November 30, 1954, at 9:30 a. m., e. s. t., in a Hearing Room of the Federal Power Commission, 441 G Street NW., Washington, D. C., concerning the matters involved and the issues presented by such applications: *Provided, however,* That the Commission may, after a noncontested hearing, dispose of the proceedings pursuant to the provisions of § 1.30 (c) (1) or (2) of the Commission's rules of practice and procedure.

Adopted: October 27, 1954.

Issued: October 29, 1954.

By the Commission.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 54-8679; Filed, Nov. 3, 1954;
8:49 a. m.]

[Docket No. G-2952]

DEEP SOUTH OIL CO. OF TEXAS

ORDER FIXING DATE OF HEARING

Deep South Oil Company of Texas (Petitioner), a Texas corporation with its principal place of business in Beaumont, Texas, filed, on September 22, 1954, its petition for a declaratory order determining status and requesting early hearing thereon. Petitioner is primarily a producer of oil, but also produces and sells gas in connection with its oil business.

Petitioner has a contract for the sale of gas produced from the North Big Hill Field in Jefferson County, Texas, to Texas Gas Corporation (Texas Gas), the successor in interest to McCarthy Chemical Co. Texas Gas takes delivery at

the well-head, then gathers and transports it, along with other such gas, to its processing plant for removal of the liquefiable hydrocarbons. The residue gas derived from the commingled supply is sold by Texas Gas into both intrastate and interstate commerce. Petitioner states that the interstate sale was made without "his knowledge or consent."

The Commission finds: It is appropriate, reasonable, and in the public interest in carrying out the provisions of the Natural Gas Act, and good cause exists, to hold a public hearing in the above-entitled proceeding, as hereinafter provided and ordered.

The Commission orders:

(A) Pursuant to authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 14, 15, and 16 of the Natural Gas Act, and the Commission's general rules and regulations, including rules of practice and procedure (18 CFR Chapter 1), a public hearing be held, commencing on November 29, 1954, at 10:00 a. m., e. s. t., in a Hearing Room of the Federal Power Commission, 441 G Street NW., Washington, D. C., concerning the matters involved in and the issues presented by the petition herein.

(B) Protests or petitions seeking leave to intervene in this proceeding may be filed with the Federal Power Commission, Washington 25, D. C., in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) on or before the 18th day of November 1954.

(C) Interested State commissions may participate as provided by §§ 1.8 and 1.37 (f) (18 CFR 1.8 and 1.37 (f)) of the said rules of practice and procedure.

Adopted: October 27, 1954.

Issued: October 28, 1954.

By the Commission.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 54-8675; Filed, Nov. 3, 1954;
8:48 a. m.]

[Docket No. G-2961]

DEMPSEY GAS CO.

NOTICE OF APPLICATION AND ORDER FIXING
DATE OF HEARING

Take notice that Dempsey Gas Company (Applicant), a partnership with its principal office in Prestonsburg, Kentucky, filed on September 22, 1954, application for a certificate of public convenience and necessity, pursuant to section 7 of the Natural Gas Act, authorizing Applicant to make sales of natural gas as hereinafter described, subject to the jurisdiction of the Commission, all as more fully represented in its application filed herein.

Applicant produces natural gas in Warfield District, Tug River, Kentucky, which it sells to United Fuel Gas Company for resale in interstate commerce.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington, D. C., in accordance with the rules of practice and pro-

cedure (18 CFR 1.8 or 1.10) on or before the 17th day of November 1954. The application is on file with the Commission for public inspection.

This matter is one that should be disposed of as promptly as possible under the applicable rules and regulations. Failure of any party to appear at and participate in the hearing shall be construed as waiver of and concurrence in omission herein of the intermediate decision procedure.

The Commission finds: It is proper and consistent with the public interest that notice of the application and order fixing date of hearing be published simultaneously.

The Commission orders: Pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act, and the Commission's rules of practice and procedure, a hearing be held on November 23, 1954, at 9:30 a. m., e. s. t., in a Hearing Room of the Federal Power Commission, 441 G Street NW., Washington, D. C., concerning the matters involved and the issues presented by such application: *Provided, however,* That the Commission may, after a noncontested hearing, dispose of the proceedings pursuant to the provisions of § 1.30 (c) (1) or (2) of the Commission's rules of practice and procedure.

Adopted: October 27, 1954.

Issued: October 28, 1954.

By the Commission.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 54-8676; Filed, Nov. 3, 1954;
8:49 a. m.]

[Docket No. G-3009]

TEXAS GULF PRODUCING CO.

NOTICE OF APPLICATION AND ORDER FIXING
DATE OF HEARING

Take notice that Texas Gulf Producing Company (Applicant), a Delaware corporation with its principal office in Houston, Texas, filed on September 23, 1954, an application for a certificate of public convenience and necessity, pursuant to section 7 of the Natural Gas Act, authorizing Applicant to make sales of natural gas as hereinafter described, subject to the jurisdiction of the Commission, all as more fully represented in its application filed herein.

Applicant produces natural gas in the Dulac Field of Terrebonne Parish, Louisiana, which it sells to the United Gas Pipe Line Company for resale in interstate commerce.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington, D. C., in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) on or before the 22d day of November 1954. The application is on file with the Commission for public inspection.

This matter is one that should be disposed of as promptly as possible under the applicable rules and regulations.

Failure of any party to appear at and participate in the hearing shall be construed as waiver of and concurrence in omission herein of the intermediate decision procedure.

The Commission finds: It is proper and consistent with the public interest that notice of the application and order fixing date of hearing be published simultaneously.

The Commission orders: Pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act, and the Commission's rules of practice and procedure, a hearing be held on November 26, 1954, at 9:30 a. m., e. s. t., in a Hearing Room of the Federal Power Commission, 441 G Street NW., Washington, D. C., concerning the matters involved and the issues presented by such application: *Provided, however,* That the Commission may, after a noncontested hearing, dispose of the proceedings pursuant to the provisions of § 1.30 (c) (1) or (2) of the Commission's rules of practice and procedure.

Adopted: October 27, 1954.

Issued: October 28, 1954.

By the Commission.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 54-8677; Filed, Nov. 3, 1954;
8:49 a. m.]

[Docket No. G-4264]

SOUTHERN NATURAL GAS CO.

ORDER SUSPENDING PROPOSED TARIFF IN PART
AND PERMITTING CERTAIN PROPOSED
TARIFF SHEETS TO BECOME EFFECTIVE

On September 30, 1954, Southern Natural Gas Company (Southern) tendered for filing its FPC Gas Tariff, Second Revised Volume No. 1, proposing to increase presently effective rates and charges for the sale of natural gas in interstate commerce for resale. Southern requests that its proposed tariff become effective November 1, 1954.

Southern proposes to increase its presently effective rates and charges by \$7,018,000, or 17.4 percent, annually, based upon sales estimated for the year 1954. The increase includes \$485,000 applicable to rate schedules for sale of natural gas for resale for industrial use only contained in Original Sheets Nos. 8, 9, 18, 19, 28, 29, 38, and 39.

It appears that Southern's claim for increased rates is based, among other things, upon (a) an average market value for its wellhead production, (b) a minimum bank balance of \$5,000,000 in the rate base computed as of the date of May 31, 1954, (c) a 6½ per cent rate of return on "utility" rate base with associated income taxes, and (d) an allocation of demand costs on the basis of the 1953-1954 design peak day.

More than 40 customers of Southern and the State commissions of Alabama, Georgia, and South Carolina have filed protests to the proposed increase. Many of them oppose zone rate differentials and other tariff changes.

The rates, charges, classifications and services set forth in Southern's proposed FPC Gas Tariff, Second Revised Volume No. 1, may be unjust, unreasonable, unduly discriminatory and preferential, or otherwise unlawful.

The Commission finds: It is necessary and proper in the public interest and in aid of the enforcement of the provisions of the Natural Gas Act that the Commission enter upon a hearing, pursuant to the authority contained in section 4 of the Natural Gas Act, concerning the lawfulness of Southern's FPC Gas Tariff, Second Revised Volume No. 1, and that, pending hearing and decision thereon, said proposed tariff, except for Original Sheets Nos. 8, 9, 18, 19, 28, 29, 38, and 39, containing rates for resale for industrial use only, be suspended, as hereinafter ordered by the Commission.

The Commission orders:

(A) Pursuant to the authority contained in sections 4 and 15 of the Natural Gas Act, a public hearing be held upon a date to be fixed by further order of the Commission concerning the lawfulness of the rates, charges, classifications, and services contained in Southern's FPC Gas Tariff, Second Revised Volume No. 1.

(B) Pending such hearing and decision thereon, Southern's FPC Gas Tariff, Second Revised Volume No. 1, with the exception of Original Sheets Nos. 8, 9, 18, 19, 28, 29, 38, and 39, therein, be and the same is hereby suspended and the use thereof is deferred until April 1, 1955, unless otherwise ordered by the Commission, and until such further time thereafter as said tariff may be made effective in the manner prescribed by the Natural Gas Act.

(C) Interested State commissions may participate as provided by §§ 1.8 and 1.37 (f) (18 CFR 1.8 and 1.37 (f)) of the Commission's rules of practice and procedure.

Adopted: October 27, 1954.

Issued: October 28, 1954.

By the Commission.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 54-8678; Filed, Nov. 3, 1954;
8:49 a. m.]

INTERSTATE COMMERCE COMMISSION

[4th Sec. Application 29853]

PETROLEUM COKE FROM KANSAS CITY,
MO.-KANS., AND SUGAR CREEK, MO., TO
IOWA, MINNESOTA AND SOUTH DAKOTA

APPLICATION FOR RELIEF

NOVEMBER 1, 1954.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by: W. J. Prueter, Agent, for carriers parties to schedule listed below.

Commodities involved: Petroleum carbon (petroleum coke), and petroleum coke briquettes, carloads.

From: Kansas City, Mo.-Kans., and Sugar Creek, Mo.

To: Points in Iowa, Minnesota, and South Dakota.

Grounds for relief: Rail competition, circuitry, and to apply rates constructed on the basis of the short line distance formula.

Schedules filed containing proposed rates: W. J. Prueter, Agent, I. C. C. No. A-3863, supp. 16.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission.

[SEAL] GEORGE W. LAIRD,
Secretary.

[F. R. Doc. 54-8687; Filed, Nov. 3, 1954;
8:51 a. m.]

[4th Sec. Application 29854]

ROOFING AND BUILDING MATERIAL FROM
LOWELL, IND., TO CERTAIN STATES

APPLICATION FOR RELIEF

NOVEMBER 1, 1954.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by: H. R. Hinsch, Agent, for carriers parties to schedules listed below.

Commodities involved: Roofing and building materials, carloads.

From: Lowell, Ind.

To: Points in Iowa, Kansas, Michigan, Minnesota, Missouri, Nebraska, and Wisconsin.

Grounds for relief: Rail competition, circuitry, and competition with motor carriers.

Schedules filed containing proposed rates: H. R. Hinsch, Agent, I. C. C. No. 4370, supp. 90; H. R. Hinsch, Agent, I. C. C. No. 4238, supp. 113.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is

found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission.

[SEAL] GEORGE W. LAIRD,
Secretary.

[F. R. Doc. 54-8688; Filed, Nov. 3, 1954;
8:52 a. m.]

[4th Sec. Application 29855]

ELECTRIC MOTORS FROM DAYTON AND
SHAKER CROSSING, OHIO, TO NASHVILLE
AND GLENCLIFF, TENN.

APPLICATION FOR RELIEF

NOVEMBER 1, 1954.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by: H. R. Hinsch, Agent, for carriers parties to his tariff I. C. C. No. 4510, pursuant to fourth-section order No. 17720.

Commodities involved: Motors, electric or component parts thereof, carloads.

From: Dayton and Shaker Crossing, Ohio.

To: Nashville and Glencliff, Tenn.

Grounds for relief: Competition with rail carriers and circuitous routes.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission.

[SEAL] GEORGE W. LAIRD,
Secretary.

[F. R. Doc. 54-8689; Filed, Nov. 3, 1954;
8:52 a. m.]

DEPARTMENT OF JUSTICE

Office of Alien Property

SIEGFRIED KURZMAN AND CECILE ELSE
SPIEGEL

NOTICE OF INTENTION TO RETURN VESTED PROPERTY

Pursuant to section 32 (f) of the Trading With the Enemy Act, as amended, notice is hereby given of intention to return, on or after 30 days from the date of publication hereof, the following property, subject to any increase or decrease resulting from the administration

thereof prior to return, and after adequate provision for taxes and conservatory expenses:

Claimant, Claim No., Property, and Location

Siegfried Kurzman, Munich, Germany, Claim No. 42949; Cecile Else Spiegel, executrix of the estates of Ludwig Kurzman and Paula Kurzman, deceased, Hyattsville, Maryland, Claim No. 42950; \$280.76 in the Treasury of the United States; one-half (½) thereof to Siegfried Kurzman and one-half (½) thereof to Cecile Else Spiegel, executrix of the estates of Ludwig Kurzman and Paula Kurzman, deceased.

Executed at Washington, D. C., on October 29, 1954.

For the Attorney General.

[SEAL] DALLAS S. TOWNSEND,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 54-8700; Filed, Nov. 3, 1954; 8:54 a. m.]

RAYMOND ERNEST HENRI BORNAY

NOTICE OF INTENTION TO RETURN VESTED PROPERTY

Pursuant to section 32 (f) of the Trading With the Enemy Act, as amended, notice is hereby given of intention to return, on or after 30 days from the date of publication hereof, the following property located in Washington, D. C., including all royalties accrued thereunder and all damages and profits recoverable for past infringement thereof, after adequate provision for taxes and conservatory expenses:

Claimant, Claim No., and Property

Raymond Ernest Henri Bornay, Maisons-Laffite, France; Claim No. 41775; property described in Vesting Order No. 666 (8 F. R. 5047, April 17, 1943), relating to United States Letters Patent No. 2,256,134.

Executed at Washington, D. C., on October 29, 1954.

For the Attorney General.

[SEAL] DALLAS S. TOWNSEND,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 54-8699; Filed, Nov. 3, 1954; 8:54 a. m.]

JACQUES KAHN

NOTICE OF INTENTION TO RETURN VESTED PROPERTY

Pursuant to section 32 (f) of the Trading With the Enemy Act, as amended, notice is hereby given of intention to return, on or after 30 days from the date of publication hereof, the following property, subject to any increase or decrease resulting from the administration thereof prior to return, and after adequate provision for taxes and conservatory expenses:

Claimant, Claim No., Property, and Location

Jacques Kahn, 14a quai Koch, Strasbourg, France; Claim No. 59945, Vesting Order No. 16033; \$23,169.75 in the Treasury of the United States.

Executed at Washington, D. C., on October 29, 1954.

For the Attorney General.

[SEAL] DALLAS S. TOWNSEND,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 54-8701; Filed, Nov. 3, 1954; 8:54 a. m.]

LOUIS DAMBLANC

NOTICE OF INTENTION TO RETURN VESTED PROPERTY

Pursuant to section 32 (f) of the Trading With the Enemy Act, as amended, notice is hereby given of intention to return, on or after 30 days from the date of publication hereof, the following property located in Washington, D. C., including all royalties accrued thereunder and all damages and profits recoverable for past infringement thereof, after adequate provision for taxes and conservatory expenses:

Claimant, Claim No., and Property

Louis Damblanc, Paris, France; Claim No. 43870, Vesting Order No. 666; property described in Vesting Order No. 666 (8 F. R. 5047, April 17, 1943) relating to United States Letters Patent Nos. 2,111,315; 2,114,214; and 2,206,476.

Executed at Washington, D. C., on October 29, 1954.

For the Attorney General.

[SEAL] DALLAS S. TOWNSEND,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 54-8702; Filed, Nov. 3, 1954; 8:54 a. m.]

SOCIETE FRANCAISE DES REGULATEURS
UNIVERSELS ARCA

NOTICE OF INTENTION TO RETURN VESTED PROPERTY

Pursuant to section 32 (f) of the Trading With the Enemy Act, as amended, notice is hereby given of intention to return, on or after 30 days from the date of publication hereof, the following property located in Washington, D. C., including all royalties accrued thereunder and all damages and profits recoverable for past infringement thereof, after adequate provision for taxes and conservatory expenses:

Claimant, Claim No., and Property

Societe Francaise des Regulateurs Universels ARCA, Paris, France; Claim No. 41777; property described in Vesting Order No. 293 (7 F. R. 9836, November 26, 1942) relating to United States Patent Application Serial No. 323,229 (now United States Letters Patent No. 2,306,142).

Executed at Washington, D. C., on October 29, 1954.

For the Attorney General.

[SEAL] DALLAS S. TOWNSEND,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 54-8703; Filed, Nov. 3, 1954; 8:54 a. m.]

KAI PETERSEN

NOTICE OF INTENTION TO RETURN VESTED PROPERTY

Pursuant to section 32 (f) of the Trading With the Enemy Act, as amended, notice is hereby given of intention to return, on or after 30 days from the date of publication hereof, the following property located in Washington, D. C., including all royalties accrued thereunder and all damages and profits recoverable for past infringement thereof, after adequate provision for taxes and conservatory expenses:

Claimant, Claim No., and Property

Kai Petersen, Lyngby, Denmark; Claim No. 37628, Vesting Order No. 664; property described in Vesting Order No. 664 (8 F. R. 4989, April 17, 1943) relating to United States Letters Patent Nos. 2,198,737; 2,200,677; 2,216,500; 2,241,734; and 2,252,520.

Executed at Washington, D. C., on October 29, 1954.

For the Attorney General.

[SEAL] DALLAS S. TOWNSEND,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 54-8704, Filed, Nov. 3, 1954; 8:54 a. m.]

JOSEPH AND ROSE DeCORLETO

NOTICE OF INTENTION TO RETURN VESTED PROPERTY

Pursuant to section 32 (f) of the Trading With the Enemy Act, as amended, notice is hereby given of intention to return, on or after 30 days from the date of publication hereof, the following property, subject to any increase or decrease resulting from the administration thereof prior to return, and after adequate provision for taxes and conservatory expenses:

Claimant, Claim No., Property, and Location

Joseph DeCorleto, a/k/a Giuseppe DeCorleto, Corleto Perticara, Italy, Claim No. 41487; \$343.48 in the Treasury of the United States. Rose DeCorleto, a/k/a Rosa DeCorleto, Corleto Perticara, Italy, Claim No. 43911; \$343.47 in the Treasury of the United States; Vesting Order No. 1915.

Executed at Washington, D. C., on October 29, 1954.

For the Attorney General.

[SEAL] DALLAS S. TOWNSEND,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 54-8705; Filed, Nov. 3, 1954; 8:55 a. m.]

GIULIA AND ADELINA LATTANZIO BASILE

NOTICE OF INTENTION TO RETURN VESTED PROPERTY

Pursuant to section 32 (f) of the Trading With the Enemy Act, as amended, notice is hereby given of intention to return, on or after 30 days from the date of publication hereof, the following property, subject to any increase or decrease resulting from the administration thereof prior to return, and after ade-

quate provision for taxes and conservatory expenses:

Claimant, Claim No., Property, and Location

Giulia and Adelina Lattanzio Basile, Montefalcone, Province of Campobasso, Italy; Claim No. 57942; \$2,370.55 in the Treasury of the United States in equal shares to each claimant.

Executed at Washington, D. C., on October 29, 1954.

For the Attorney General.

[SEAL] DALLAS S. TOWNSEND,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 54-8706; Filed, Nov. 3, 1954;
8:55 a. m.]

[Dissolution Order 107]

SCHLOEMANN ENGINEERING CORP.

Whereas, by Vesting Order No. 2953, dated January 15, 1944 (9 F. R. 915, January 25, 1944) there was vested in the Alien Property Custodian all outstanding capital stock (consisting of 5,000 shares of no par value common stock) of Schloemann Engineering Corporation (hereinafter referred to as "the Company"), a Delaware corporation;

Whereas, by virtue of the aforementioned vesting order and Executive Order 9788, dated October 14, 1946 (11 F. R. 11981, October 15, 1946), the aforementioned shares are owned by the Attorney General of the United States (hereinafter referred to as "Attorney General"); and

Whereas, by Supervisory Order No. 63, dated October 20, 1942, there was undertaken the direction, management, supervision, and control of the Company; and

Whereas, a Certificate of Dissolution was issued by the Secretary of State of

Delaware on September 14, 1954, certifying to the dissolution of the Company; and

Whereas, the Company has been substantially liquidated.

Now, therefore, under the authority of the Trading With the Enemy Act, as amended, and Executive Orders 9095, as amended, and 9788, and pursuant to law, the undersigned, after investigation:

1. Finding that there are no known debts of the Company, and that the known assets consist of cash in the amount of \$3,010.40 and United States 2 percent Treasury Bonds due December 15, 1954, having a face value of \$50,000, the said bonds being carried on the Company's books at the cost price of \$49,904.12; and

2. Having determined that it is in the national interest of the United States that the Company be dissolved, that its affairs be wound up and that its assets be distributed;

Hereby orders, that the officers and directors of the Company (and their successors, or any of them) wind up the affairs of the Company and distribute the assets of the Company coming into their possession as follows:

1. They shall first pay current expenses, if any, and necessary charges in effecting the dissolution of the Company and winding up of its affairs; and

2. They shall then pay all federal, state and local taxes, if any, owed by or accruing against the Company; and

3. They shall then pay over, transfer, assign and deliver to the Attorney General all funds and property of whatsoever kind and nature (including after discovered assets) remaining in their hands after payment of the aforementioned items, the same to be applied by the Attorney General as follows: First, in satisfaction of such claim, if any, as

the Attorney General may have for monies advanced or services rendered to or on behalf of the Company, and second, as a liquidating distribution of assets to the Attorney General as holder of all the issued and outstanding stock of the Company;

And further orders, that nothing herein set forth shall be construed as prejudicing the rights under the Trading With the Enemy Act, as amended, of any person who may have a claim against the Company to file such claim with the Attorney General against any funds or property received by the Attorney General hereunder;

Provided, however, That nothing herein contained shall be construed as creating additional rights in such person; *Provided further,* That any such claim against said Company shall be filed with or presented to the Attorney General within the time and in the form and manner prescribed for such claims by the Trading With the Enemy Act, as amended, and applicable regulations and orders issued pursuant thereto; and further orders, that all actions taken and acts done by the aforementioned officers and directors of the Company pursuant to this order and the directions contained herein shall be deemed to have been taken and done in reliance on and pursuant to section 5 (b) (2) of the Trading With the Enemy Act, as amended, (50 U. S. C. App. 5), and the acquittance and exculpation provided therein.

Executed in Washington, D. C., on October 29, 1954.

For the Attorney General.

[SEAL] DALLAS S. TOWNSEND,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 54-8707; Filed, Nov. 3, 1954;
8:55 a. m.]